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R 336.2607
Source: 1980 AACS.

R 336.2608
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R 336.2701
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R 336.2706
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DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

DECLARATORY RULINGS

R 338.81
Source: 2001 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

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OSTEOPATHIC MEDICINE AND SURGERY—CONTINUING EDUCATION

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OSTEOPATHIC MEDICINE AND SURGERY

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R 338.134

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OPTOMETRY—PUBLIC PARTICIPATION AT OPEN BOARD MEETINGS

R 338.241

Source: 1980 AACs.

R 338.251 Definitions.

Rule 1. As used in these rules and in the interpretation and administration of sections 17401, 17412, 17432, 17433, 17435, and 17749 of the code:

(a) "Adverse drug reaction" means an adverse physical or psychological reaction which is experienced by a person resulting from diagnostic pharmaceutical agents administered by an optometrist and which occurs within 24 hours after the drug is administered. An adverse drug reaction may be indicated by symptoms that include any of the following:

- (i) Red eye.
- (ii) Painful eye.
- (iii) Decrease in vision.
- (iv) Pale or red swelling of the periocular or periorbital tissues.
- (v) Nausea.
- (vi) Vomiting.
- (vii) Fainting.
- (viii) Mental confusion.
- (ix) Cessation of respiration.

(b) "Board" means the board of optometry.

(c) "Code" means 1978 PA 368, MCL 333.1101 et seq.

(d) "Classroom hour," for the purpose of determining whether a course of study meets the requirements of section 17412(2)(a) or 17435(2)(b) of the code, means a 50- to 60-minute period of lecture, group discussion, or laboratory directly associated with a course in pharmacology. Time spent working in a clinic other than as part of a laboratory directly associated with a course in pharmacology does not qualify as a "classroom hour."

(e) "Course of study in general and clinical pharmacology" means a course of study which is completed in a board-approved school or college, in general and clinical pharmacology as it relates to optometry, with the characteristics described in section 17412(2)(a) of the code. Not less than 30 of the 60 classroom hours of the course of study shall be allocated to ocular pharmacology and shall emphasize the systemic effects of, and reactions to, topical ocular diagnostic pharmaceutical agents, including the emergency management and referral of any adverse reactions that may occur.

(f) "Course of study relating to the didactic and clinical use of therapeutic pharmaceutical agents" means a course of study which is comprised of a minimum of 10 quarter hours or 7 semester hours of credit or 100 classroom hours of study, which is completed in a board-approved school or college, and which is in subjects relating to the didactic and clinical use of therapeutic pharmaceutical agents related to optometry.

(g) "Department" means the Michigan department of consumer and industry services.

(h) "Emergency treatment plan for management and referral of patients who experience an adverse drug reaction" means a plan which is submitted to the board on a board-approved form and in which the optometrist agrees to do all of the following:

- (i) Refer patients who notify the optometrist of an adverse drug reaction to an appropriate medical specialist or facility.
- (ii) Routinely advise patients to immediately contact the optometrist if the patient experiences an adverse drug reaction.
- (iii) Place in the patient's permanent record information describing any adverse drug reaction experienced by the patient and the date and time that any patient referral was made.

History: 1944 AC; 1954 AC; 1979 AC; 1979 ACS 16, Eff. Dec. 1, 1983; 1985 MR 7, Eff. Aug. 1, 1985; 1995 MR 8, Eff. Sept. 6, 1995; 2003 MR 1, Eff. Jan. 17, 2003.

R 338.252 Licensure by examination.

Rule 2. (1) An applicant for a Michigan optometry license by examination shall submit a completed application on forms

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provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall satisfy the requirements of this rule.

(2) An applicant shall have graduated from a college of optometry or school of optometry approved by the board.

(3) An applicant shall have achieved a minimum scaled score of 75 on each part of the Michigan board of optometry examination.

(4) An applicant shall have achieved a minimum scaled score of 75 on all parts of the examination given by the national board of examiners in optometry, or its successor organization or the testing agency currently recognized or endorsed by the association of regulatory boards of optometry or its successor organization.

History: 1944 AC; 1944 ACS 14; 1954 AC; 1979 AC; 1979 ACS 16, Eff. Dec. 1, 1983; 1990 MR 6, Eff. June 30, 1990; 2003 MR 1, Eff. Jan. 17, 2003.

R 338.253 Licensure by endorsement.

Rule 3. (1) An applicant for a Michigan optometry license by endorsement shall submit a completed application on forms provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall have graduated from a school or college of optometry approved by the board and satisfy the requirements of this rule.

(2) If an applicant was first licensed in another state and had engaged in the practice of optometry for a minimum of 5 years before the date of filing an application for a Michigan optometrist license, it will be presumed that the applicant meets the requirements of section 16186(1)(a) and (b) of the code. In addition, an applicant shall have achieved a minimum scaled score of 75 on the examination of Michigan laws and rules related to the practice of optometry that is administered by the department.

(3) If an applicant does not meet the requirements of subrule (2) of this rule, the applicant shall satisfy the following requirements as applicable:

(a) An applicant who was first licensed in another state shall have achieved a minimum scaled score of 75 on all parts of the examination given by the national board of examiners in optometry or its successor organization, or the testing agency currently recognized or endorsed by the association of regulatory boards of optometry or its successor organization.

(b) An applicant who has not been licensed in another state for a minimum of 5 years and engaged in the practice of optometry for a minimum of 5 years before the date of filing an application for a Michigan optometrist license shall achieve a minimum scaled score of 75 on each part of the Michigan board of optometry examination.

History: 1944 AC; 1954 AC; 1979 AC; 1979 ACS 16, Eff. Dec. 1, 1983; 1990 MR 6, Eff. June 30, 1990; 2003 MR 1, Eff. Jan. 17, 2003.

R 338.254 School or college approval standards.

Rule 4. (1) The board approves and adopts by reference in these rules the standards of the council on optometric education of July, 1976, which govern school or college of optometry accreditation.

(2) A school or college of optometry accredited by the council on optometric education may be approved by the board.

(3) A school or college of optometry that is not accredited by the council on optometry education may be approved by the board if it meets the standards in subrule (1) of this rule.

(4) Copies of the standards of the accreditation council on optometric education are available free of charge from the American Optometric Association, 243 N. Lindbergh Blvd., St. Louis, MO 63141 or from the association's website at <http://www.aoanet.org>. Printed copies also are available for inspection and distribution from the Department of Consumer and Industry Services, Ottawa Building, 611 W. Ottawa, P.O. Box 30670, Lansing, MI 48909, for a cost of \$6.00 as of the time of adoption of these rules.

History: 1944 AC; 1954 AC; 1979 AC; 1979 ACS 16, Eff. Dec. 1, 1983; 2003 MR 1, Eff. Jan. 17, 2003.

R 338.255 Michigan board of optometry examination; eligibility.

Rule 5. (1) To be eligible to sit for the Michigan board of optometry examination, an applicant shall file a completed application on a form provided by the department, together with the requisite fee, and shall submit evidence of having completed a program in optometry from a dean of a school or college of optometry approved by the board not less than 30 days before the date of the examination and shall establish that he or she has achieved a minimum scaled score of 75 on all parts of the examination given by the national board of examiners in optometry or its successor organization, or the testing agency currently recognized or endorsed by the association of regulatory boards of optometry or its successor organization. Final transcripts shall be submitted to the department before a license is issued.

(2) An applicant who fails to achieve a minimum scaled score of 75 on each part of the Michigan board of optometry examination within 2 attempts shall be required to retake and achieve a minimum scaled score of 75 on all parts of the examination in each subsequent sitting.

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History: 1944 AC; 1954 AC; 1979 AC; 1979 ACS 16, Eff. Dec. 1, 1983; 1990 MR 6, Eff. June 30, 1990; 2003 MR 1, Eff. Jan. 17, 2003.

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R 338.256a

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R 338.256b

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ADMINISTRATIVE HEARINGS—OPTOMETRY

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R 338.282
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ONE-DAY EDUCATIONAL PROGRAMS

R 338.291
Source: 1998-2000 AACS.

R 338.292
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**BOARD OF REGISTRATION IN PODIATRY
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Source: 1997 AACS.

R 338.312

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PHARMACY

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R 338.500

Source: 1995 AACS.

**BOARD OF REGISTRATION FOR ARCHITECTS,
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R 338.1060

Source: 1997 AACCS.

R 338.1061

Source: 1997 AACCS.

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Source: 1997 AACCS.

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Source: 1997 AACCS.

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R 338.1087

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R 338.1088

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R 338.1099a

Source: 1994 AACCS.

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- R 338.1134**
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R 338.1197
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R 338.1622
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COUNSELING

PART 1. GENERAL PROVISIONS

R 338.1751 Definitions.

Rule 1. As used in these rules:

- (a) "Board" means the board of counseling.
- (b) "Career development" means studies that provide an understanding of all of the following:
 - (i) Career development theories.

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- (ii) Occupational and educational information sources and systems.
 - (iii) Career counseling.
 - (iv) Life-style and career decision making.
 - (v) Career development program planning, implementation, and evaluation.
 - (c) "Code" means Act No. 368 of the Public Acts of 1978, as amended, being MCL 333.1101 et seq. of the Michigan Compiled Laws.
 - (d) "Consulting" means studies that provide an understanding of the process of psychoeducational consultation with emphasis on theories and strategies that are used to provide services to individuals, groups, and organizations.
 - (e) "Counseling philosophy" means studies that incorporate a belief system that a person can change or develop a more fully functioning self through the application of various counseling approaches regardless of the extent of the problem.
 - (f) "Counseling techniques" means the application of basic counseling and psychotherapy skills and theories in the counseling process in order to do all of the following:
 - (i) Establish and maintain the counseling relationship.
 - (ii) Diagnose and identify the problem.
 - (iii) Formulate a preventive, treatment, or rehabilitative plan.
 - (iv) Facilitate appropriate interventions.
 - (g) "Counseling theories" means the study of the theoretical foundations of counseling and psychotherapy, including major affective, behavioral, and cognitive theories of personality development and change.
 - (h) "Department" means the department of consumer and industry services.
 - (i) "Group techniques" means the application of basic counseling and psychotherapy skills and theories in the group counseling process that are based on an understanding of group development and dynamics, theories of group counseling and psychotherapy, and group leadership styles.
 - (j) "Internship" means supervised curricular field experience that provides students opportunities to perform all the activities that a licensed professional counselor would be expected to perform.
 - (k) "Practicum" means a supervised curricular experience that provides for the development of individual and group counseling and psychotherapy skills by giving students opportunities to perform, on a limited basis, some of the activities that a licensed professional counselor would be expected to perform.
 - (l) "Professional ethics" means studies that prepare students to understand and apply the legal requirements and ethical codes related to the practice of counseling.
 - (m) "Research methodology" means studies that provide an understanding of all of the following:
 - (i) Types of research and their application to the practice of counseling.
 - (ii) Basic statistics.
 - (iii) Research design, proposal development, implementation, and report writing.
 - (n) "Supervisor" means a licensed professional counselor who shall have training in the function of supervision. This subdivision takes effect January 1, 2005.
 - (o) "Testing procedures" means studies that provide an understanding of all of the following:
 - (i) Group and individual psychometric theories and approaches to appraisal and diagnosis.
 - (ii) Selecting, administering, scoring, and interpreting instruments and procedures that are designed to assess all of the following with respect to an individual:
 - (a) Aptitudes.
 - (b) Interests.
 - (c) Attitudes.
 - (d) Abilities.
 - (e) Achievements.
 - (f) Personal characteristics.
 - (iii) Factors that influence appraisals.
 - (iv) Use of appraisal and diagnostic results in helping processes.
 - (p) "Under the supervision of a licensed professional counselor" means under the ongoing supervision of a licensed professional counselor licensed in this state or under the ongoing supervision of an individual in another state who substantially meets the requirements for a professional counselor license in this state.
- History: 1991 MR 4, Eff. Apr. 23, 1991; 1993 MR 8, Eff. Aug. 24, 1993; 1995 MR 6, Eff. June 23, 1995; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.1752 Application requirements; licensure by examination.

Rule 2. (1) An applicant for a professional counselor license shall submit a completed application on a form provided by the department, together with the requisite fee, and the professional disclosure statement required under the code. In addition to

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meeting the requirements of the code and administrative rules an applicant shall meet the requirements of this rule.

(2) An applicant shall have received a master's or doctoral degree in counseling or student personnel work in a program approved by the board.

(3) In addition to meeting the requirements of subrule (2) of this rule, an applicant, after receiving the degree, shall meet both of the following requirements:

(a) Have engaged in the practice of counseling pursuant to section 18101(d) of the code, which practice involved an opportunity to work with a broad range of the population and which was conducted in an organized education, business, health, private practice, or human services setting under the supervision of a licensed professional counselor for either of the following periods of time, as applicable:

(i) For an applicant who has received a master's degree, not less than 3,000 hours accrued over not less than a 2-year period. Not less than 100 hours of supervision shall have been accrued in the immediate physical presence of the supervisor. Effective January 1, 2005, the supervision shall begin upon the issuance of the limited license and continue until the licensed professional counselor license is issued.

(ii) For an applicant who has completed 30 semester hours or 45 quarter hours of graduate study in counseling beyond the master's degree, not less than 1,500 hours accrued over not less than a 1-year period. Not less than 50 hours of supervision shall have been accrued in the immediate physical presence of the supervisor. Effective January 1, 2005, the supervision shall begin upon the issuance of the limited license and continue until the licensed professional counselor license is issued.

(b) Have passed either of the following examinations with a converted score of not less than 75:

(i) The national counselor examination developed by the national board for certified counselors.

(ii) The certification examination developed and scored by the commission on rehabilitation counselor certification.

(4) For practice experience gained in Michigan, an applicant shall have held a limited license pursuant to the provisions of R 338.1754 while accruing the experience.

History: 1991 MR 4, Eff. Apr. 23, 1991; 1993 MR 8, Eff. Aug. 24, 1993; 1995 MR 6, Eff. June 23, 1995; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.1752a

Source: 1993 AACs.

R 338.1753 Counselor training programs; institutions; approval standards.

Rule 3. (1) The board shall approve a program that meets all of the following standards:

(a) The program shall be conducted in an institution that meets the standards adopted by the board in subrule (2) of this rule.

(b) The program shall consist of not less than 48 semester hours or 72 quarter hours.

(c) The program shall include graduate studies in all of the following content areas:

(i) Career development.

(ii) Consulting.

(iii) Counseling techniques.

(iv) Counseling theories.

(v) Counseling philosophy.

(vi) Group techniques.

(vii) Professional ethics.

(viii) Research methodology.

(ix) Testing procedures.

(x) Practicum.

(d) The program shall include an internship that consists of not less than 600 hours of supervised clinical experience in counseling.

(2) The board adopts by reference the recognition standards and criteria of the council for higher education accreditation (chea), effective January 1999, and the procedures and criteria for recognizing postsecondary accrediting agencies of the U.S. department of education, effective July 1, 2000. An institution is considered approved by the board if it is accredited by the accrediting body of the region in which the institution is located and the accrediting body meets either recognition standards and criteria of the council for higher education accreditation or the recognition procedures and criteria of the U.S. department of education. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection at the Board of Counseling, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org>, at no cost. The federal recognition criteria also may be obtained from the U.S. Department of Education, Office of Postsecondary Education, 1990 K Street NW, Washington, DC 20006 or

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from the department's website at <http://www.ed.gov/offices/OPE>, at no cost.

(3) The board adopts by reference the standards of the following postsecondary accrediting organizations, which are available for inspection at the Board of Counseling, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. Copies of the following standards may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Association of Colleges and Schools, Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education Eligibility Requirements and Standards for Accreditation", 2002 edition, which is available at no cost on the association's website at <http://www.msache.org> or for purchase at a cost of \$6.00 as of the time of adoption of these rules.

(b) The standards of the New England Association of Schools and Colleges, Inc. Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, set forth in the document entitled "Standards for Accreditation", 2001 Edition, which is available free of charge on the association's website at <http://www.neasc.org> or for purchase at a cost of \$5.00 as the time of adoption of these rules.

(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, set forth in the document entitled "Handbook of Accreditation", Second Edition, which is available for purchase through the association's website at <http://www.ncahigherlearningcommission.org> at a cost of \$18.00 as of the time of adoption of these rules.

(d) The standards of the Northwest Association of Schools Colleges, and Universities, The Commission on Colleges and Universities, 8060 165TH Avenue NE, Suite 100, Redmond, WA 98052 set forth in the document entitled "Accreditation Handbook," 1999 edition, which is available for purchase at a cost of \$12.00 as of the time of adoption of these rules, or through the association's website at <http://www.nwccu.org>.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, Georgia 30033, set forth in the document entitled "Criteria for Accreditation", 1998 Edition, which is available free of charge on the association's website at <http://www.sacscoc.org> or for purchase at a cost of \$12.00 as of the time of adoption of these rules.

(f) The standards of the Western Association of Schools and Colleges, The Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "2001 Handbook of Accreditation", which is available free of charge on the commission's website at <http://www.wascweb.org> or for purchase at a cost of \$20.00 as of the time of adoption of these rules.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 3402 Mendocino Avenue, Santa Rosa, CA 95403, set forth in the document entitled "The Handbook of Accreditation and Policy Manual", 2002 Edition, which is available free of charge on the commission's website at <http://www.wascweb.org>. (3) The board approves the standards for accrediting rehabilitation counselor education programs of the council on rehabilitation education, set forth in the document entitled "Council on Rehabilitation Education (CORE) Accreditation Manual." The board shall consider any rehabilitation counselor education program that is accredited by the council on rehabilitation education as a program approved by the board. Copies of the standards for accrediting rehabilitation counselor education programs of the council on rehabilitation education may be obtained at no cost from the Board of Counseling, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909, or from the Council on Rehabilitation Education, 1835 Rohlwing Road, Suite E, Rolling Meadows, IL 60008 or from the council's website at <http://www.core-rehab.org>.

(4) The board approves the standards of the council for accreditation of counseling and related educational programs for accrediting educational programs in community counseling, mental health counseling, school counseling, student affairs practice in higher education with a college counseling emphasis, and counselor education and supervision set forth in the document entitled "Council for Accreditation of Counseling and Related Educational Programs (CACREP), 2001 Standards". The board shall consider any educational program in community counseling, mental health counseling, school counseling, student affairs practice in higher education with a college counseling emphasis, and counselor education and supervision as a program approved by the board. Copies of the standards of the council for accreditation of counseling and related educational programs for accrediting educational programs in community counseling, mental health counseling, school counseling, student affairs practice in higher education with a college counseling emphasis, and counselor education and supervision may be obtained at no cost from the Board of Counseling, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909, or from the Council for Accreditation of Counseling and Related Educational Programs, 5999 Stevenson Avenue, Alexandria, Virginia 22304 or at the council's website at <http://www.counseling.org/cacrep>.

History: 1991 MR 4, Eff. Apr. 23, 1991; 1993 MR 8, Eff. Aug. 24, 1993; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.1754

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Source: 1995 AACCS.

R 338.1756 Application requirements; licensure by endorsement.

Rule 6. (1) An applicant for a professional counselor license by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules, an applicant shall satisfy the requirements of this rule.

(2) If an applicant was licensed in another state and has been engaged in the practice of counseling for a minimum of 5 years before the date of filing an application for Michigan licensure, then it is presumed that the applicant meets the requirements of section 16186(l)(a) and (b) of the code.

History: 1995 MR 6, Eff. June 23, 1995; 2003 MR 20, Eff. Oct. 29, 2003.

MARRIAGE COUNSELORS

R 390.1801 Definitions.

Rule 1. (1) As used in these rules:

(a) "Academic year" means the undergraduate school year consisting of 2 semesters or 3 terms or quarters beginning the first semester, term, or quarter after July 15 of any year.

(b) "Act" means 1986 PA 316, MCL 390.1421 et seq.

(c) "Annual undergraduate tuition cost" means a figure determined by dividing the total in-state, undergraduate tuition collected by a particular state institution of higher education for a year by the total number of in-state, undergraduate, fiscal year equated students at that particular school for that year.

(d) "Application" means a request for acceptance into the trust made on a form, or a duplicate of a form, approved by the trust.

(e) "Application fee" means a fee paid to the trust upon application.

(f) "Average tuition cost" means a figure determined by adding the annual undergraduate tuition cost at each state institution of higher education and dividing that result by the total number of state institutions of higher education.

(g) "Beneficiary" means an individual who is designated as a beneficiary in a contract with the trust. The beneficiary shall be a resident as defined in this rule when the contract is submitted to the trust.

(h) "Community or junior college" means an educational institution described in 1963 Mich. Const., Art. VIII, section 7.

(i) "Contract" means any 1 of the following Michigan education trust contracts:

(i) Full benefits plan contract offered in 1988.

(ii) Limited benefits plan contract offered in 1988.

(iii) Community college plan contract offered in 1988.

(iv) Any other contract to provide educational benefits approved by the board.

(j) "Contract processing fee" means a fee paid for the processing of a contract.

(k) "Disabled" or "disability" means a limitation of an individual's learning ability that results from an injury or disease which renders the individual incapable of participating in higher education.

(l) "Escrow account" means an account called an escrow account in any contract.

(m) "Higher education institution" means a public educational institution, an independent, degree-granting college or university, or an out-of-state institution of higher education.

(n) "Immediate family" has 1 of the following meanings:

(i) For contracts issued in the years 1988 to 1996, the term means any of the following:

(A) The purchaser or any of the following relations of the purchaser:

(1) A spouse.

(2) A child.

(3) A stepchild.

(4) An adopted child.

(5) A grandchild.

(6) A niece or nephew.

(7) A ward.

(B) Any of the following relations of the beneficiary:

(1) A brother or sister.

(2) A stepbrother or stepsister.

(3) A cousin of the first degree.

(4) A mother or father.

(C) Another person designated by the board to be a member of the immediate family.

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- (ii) For contracts issued after the year 1996, the term means any of the following relations of the beneficiary:
 - (A) A spouse.
 - (B) A mother or father.
 - (C) A brother or sister.
 - (D) A legally adopted brother or sister.
 - (E) A child.
 - (F) A legally adopted child.
 - (G) A spouse's child.
 - (H) A niece or nephew.
 - (I) A cousin of the first degree.
- (o) "Independent, degree-granting college or university" means either of the following:
 - (i) For contracts issued in the years 1988 to 1996, the term means a nonpublic, associate or baccalaureate degree-granting institution of higher education approved by the state board of education and located in this state.
 - (ii) For contracts issued after the year 1996, the term means a nonprofit, nonpublic, associate or baccalaureate degree-granting institution of higher education approved by the state board of education and located in this state.
- (p) "In-district tuition rate" means the tuition rate charged a student who meets the in-district residency requirements established by a particular community or junior college.
- (q) "In-state tuition rate" means the tuition rate charged a student who meets the in-state residency requirements of a particular state institution of higher education.
- (r) "Item" means any of the categories listed and numbered on the signature page of a contract.
- (s) "Lowest tuition cost" means the lowest annual tuition rate charged freshmen, sophomores, juniors, or seniors among all annual tuition rates at any state institution of higher education.
- (t) "Mandatory fee" means any fee, other than charges for credit hours, room, and board, which an educational institution requires all students to pay.
- (u) "New beneficiary" means an individual who is an immediate family member to whom contract rights have been transferred.
- (v) "Out-of-state institution of higher education" means 1 of the following:
 - (i) A nonprofit, baccalaureate degree-granting college or university located outside this state.
 - (ii) A proprietary baccalaureate degree-granting college or university located outside this state that is eligible to participate in United States department of education student aid programs.
 - (iii) A community or junior college located outside this state that is eligible to participate in United States department of education student aid programs.
- (w) "Person" means an individual who is a resident of the United States or a partnership, trust, association, corporation, or governmental subdivision organized or existing under the laws of the United States or any state of the United States.
- (x) "Plan" means any group of contracts so identified by the trust as a plan.
- (y) "Prepaid tuition amount" means the dollar amount paid for a contract, but does not include an application fee and any contract processing fee set forth in the contract.
- (z) "Public educational institution" means a state institution of higher education or a community or junior college.
- (aa) "Purchaser" means the person designated in a contract who makes, or is obligated to make, advance tuition payments pursuant to a contract. The purchaser, if a natural person, shall be 18 years of age or older or a trustee or a designated custodian under the provisions of 1959 PA 172, MCL 554.451 et seq., or be represented by a court-appointed or approved conservator or guardian.
- (bb) "Resident" means an individual who is domiciled in, or whose state of legal residence is, this state.
- (cc) "Secured loan" means a single-purpose installment payment loan made by a third-party lender to a purchaser for the purpose of making the total contract price.
- (dd) "Termination" means a discontinuance of the right to receive educational benefits under the contract.
- (ee) "Third-party lender" means a savings institution, bank, credit union, or other party which is under contract with the trust to offer secured loans for the purchase of contracts.
- (ff) "Third-party servicer" means a savings institution, bank, credit union, or other party under contract with the trust to service the receipt of contracts and contract payments.
- (gg) "Total contract price" means the amount paid for a contract, including any contract processing fee set forth in the contract, but not including an application fee.
- (hh) "Transfer" means moving all or a portion of the contract rights from the beneficiary to a new beneficiary.
- (ii) "Tuition account" means an account established by the trust in the advance tuition payment fund to hold all monies to provide educational benefits or refunds for plan contracts. This account shall not be subject to a claim for payment by a third-party lender.

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(jj) "Tuition charges" means the undergraduate quarter, term, semester, or trimester charges imposed to attend a higher education institution, including mandatory fees.

(kk) "Undergraduate fiscal year equated students" means a figure determined for each state institution of higher education by dividing 1/4 of the number of credit hours necessary to receive a 4-year baccalaureate degree at that state institution of higher education into the number of credit hours for which in-state undergraduate students were enrolled.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1992 MR 4, Eff. May 12, 1992; 1997 MR 9; Eff. Oct. 11, 1997; 2000 MR 10, Eff. Aug 2, 2000; 2002 MR 19, Eff. Oct. 23, 2002; 2003 MR 20, Eff. Oct. 29, 2003.

PART 1. ORGANIZATION OF BOARD

R 338.1811

Source: 1997 AACCS.

R 338.1812

Source: 1997 AACCS.

R 338.1813

Source: 1997 AACCS.

R 338.1814

Source: 1997 AACCS.

R 338.1815

Source: 1997 AACCS.

PART 2. CERTIFICATION

R 338.1821

Source: 1997 AACCS.

R 338.1822

Source: 1997 AACCS.

R 338.1823

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R 338.1824

Source: 1997 AACCS.

R 338.1825

Source: 1997 AACCS.

PART 3. HEARINGS

R 338.1831

Source: 1997 AACCS.

R 338.1832

Source: 1997 AACCS.

R 338.1833

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R 338.1834

Source: 1997 AACCS.

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- R 338.1835**
Source: 1997 AACS.
- R 338.1836**
Source: 1997 AACS.
- R 338.1837**
Source: 1997 AACS.
- R 338.1841**
Source: 1998-2000 AACS.
- R 338.1842**
Source: 1998-2000 AACS.
- R 338.1843**
Source: 1998-2000 AACS.
- R 338.1844**
Source: 1998-2000 AACS.
- R 338.1861**
Source: 1998-2000 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTORS OFFICE

HEARING AID DEALERS

PART 1. LICENSING

- R 338.1901**
Source: 1998-2000 AACS.
- R 338.1905**
Source: 1998-2000 AACS.
- R 338.1906**
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- R 338.1907**
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- R 338.1908**
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- R 338.1909**
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- R 338.1910**
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- R 338.1911**
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- R 338.1912**
Source: 1998-2000 AACS.

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R 338.1913
Source: 1998-2000 AACS.

R 338.1914
Source: 1998-2000 AACS.

PART 2. CONDUCT OF BUSINESS

R 338.1921
Source: 1998-2000 AACS.

R 338.1922
Source: 1998-2000 AACS.

HEARING AID DEALERS

PART 3. COMPLAINTS AND HEARINGS

R 338.1941
Source: 1997 AACS.

R 338.1942
Source: 1997 AACS.

R 338.1943
Source: 1997 AACS.

BARBER EXAMINERS

R 338.2001
Source: 1997 AACS.

R 338.2002
Source: 1997 AACS.

R 338.2003
Source: 1997 AACS.

R 338.2004
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R 338.2005
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R 338.2006
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R 338.2007
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R 338.2008
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R 338.2009
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R 338.2010
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R 338.2011
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R 338.2012
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R 338.2013
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R 338.2014
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R 338.2015
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R 338.2016
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R 338.2017
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R 338.2018
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R 338.2019
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R 338.2020
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R 338.2021
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R 338.2022
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R 338.2023
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R 338.2024
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R 338.2025
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R 338.2026
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R 338.2027
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Source: 1997 AACS.

R 338.2029

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R 338.2046

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R 338.2047
Source: 1997 AACS.

R 338.2048
Source: 1997 AACS.

R 338.2049
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R 338.2050
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R 338.2051
Source: 1997 AACS.

R 338.2052
Source: 1997 AACS.

R 338.2053
Source: 1997 AACS.

R 338.2054
Source: 1997 AACS.

COSMETOLOGY

PART 1. GENERAL PROVISIONS

R 338.2101
Source: 1998-2000 AACS.

R 338.2102
Source: 1998-2000 AACS.

R 338.2103
Source: 1998-2000 AACS.

R 338.2106
Source: 1998-2000 AACS.

R 338.2107
Source: 1998-2000 AACS.

PART 2. LICENSES AND PERMITS

R 338.2121
Source: 1998-2000 AACS.

R 338.2122
Source: 1998-2000 AACS.

R 338.2123
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R 338.2124
Source: 1998-2000 AACS.

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R 338.2125
Source: 1998-2000 AACS.

R 338.2126
Source: 1998-2000 AACS.

R 338.2127
Source: 1998-2000 AACS.

PART 3. FACILITIES AND EQUIPMENT

R 338.2131
Source: 1998-2000 AACS.

R 338.2132
Source: 1998-2000 AACS.

R 338.2132a
Source: 1998-2000 AACS.

R 338.2133
Source: 1998-2000 AACS.

R 338.2134
Source: 1998-2000 AACS.

R 338.2135
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R 338.2136
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R 338.2137
Source: 1998-2000 AACS.

R 338.2138
Source: 1998-2000 AACS.

R 338.2139
Source: 1998-2000 AACS.

R 338.2139a
Source: 1998-2000 AACS.

PART 4. ADVERTISING; REGISTRATION; EXAMINATION; RECORDS; TRANSFERS

R 338.2141
Source: 1998-2000 AACS.

R 338.2142
Source: 1998-2000 AACS.

R 338.2143
Source: 1998-2000 AACS.

R 338.2144
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R 338.2145
Source: 1998-2000 AACS.

R 338.2146
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R 338.2147
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R 338.2148
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R 338.2149
Source: 1998-2000 AACS.

PART 5. CURRICULUM

R 338.2151
Source: 1998-2000 AACS.

R 338.2151a
Source: 1998-2000 AACS.

R 338.2152
Source: 1998-2000 AACS.

R 338.2153
Source: 1998-2000 AACS.

R 338.2155
Source: 1997 AACS.

R 338.2156
Source: 1998-2000 AACS.

PART 6. HEALTH AND SAFETY

R 338.2161
Source: 1998-2000 AACS.

R 338.2162
Source: 1998-2000 AACS.

R 338.2163
Source: 1998-2000 AACS.

R 338.2163a
Source: 1998-2000 AACS.

R 338.2163b
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338.2163c.
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R 338.2166
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R 338.2167
Source: 1998-2000 AACS.

R 338.2168
Source: 1998-2000 AACS.

R 338.2169
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PART 7. INSTRUCTORS AND DEMONSTRATORS

R 338.2171
Source: 1998-2000 AACS.

R 338.2172
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R 338.2173
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R 338.2174
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R 338.2175
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R 338.2176
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R 338.2178
Source: 1998-2000 AACS.

R 338.2179
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R 338.2179a
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R 338.2179b
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R 338.2179c
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R 338.2179d
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R 338.2179e
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R 338.2179f
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R 338.2179g
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R 338.2179h
Source: 1998-2000 AACS.

PART 8. STUDENTS

R 338.2181
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R 338.2182
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R 338.2183
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R 338.2184
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R 338.2185
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R 338.2186
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PART 9. HEARINGS

R 338.2191
Source: 1997 AACS.

R 338.2192
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R 338.2193
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R 338.2194
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R 338.2195
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CHIROPRACTIC

R 338.2201
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R 338.2202
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R 338.2205
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R 338.2206
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R 338.2209
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R 338.2210
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R 338.2222
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R 338.2239

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R 338.2240

Source: 1997 AACs.

R 338.2241

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R 338.2242

Source: 1997 AACs.

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R 338.2243
Source: 1997 AACS.

R 338.2244
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R 338.2245
Source: 1997 AACS.

MEDICINE

PART 1. GENERAL PROVISIONS

R 338.2301
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R 338.2303
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R 338.2304
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R 338.2305
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R 338.2308
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PART 2. LICENSES

R 338.2311
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R 338.2312
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Source: 1997 AACS.

R 338.2322

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R 338.2325

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R 338.2326

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R 338.2327

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R 338.2327a

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PART 3. ADMINISTRATIVE HEARINGS

R 338.2330

Source: 1997 AACS.

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R 338.2339
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R 338.2354
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R 338.2355
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PART 5. CONTINUING MEDICAL EDUCATION

R 338.2371
Source: 1991 AACs.

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R 338.2374
Source: 1991 AACS.

R 338.2376
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R 338.2379
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R 338.2380
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R 338.2382
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LAND SURVEYORS

R 338.2401
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R 338.2414
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R 338.2451

Source: 1997 AACCS.

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R 338.2460

Source: 1997 AACCS.

R 338.2461

Source: 1997 AACCS.

PSYCHOLOGY

R 338.2503 Request for board action.

Rule 3. (1) A request for board action authorized under the code or 1969 PA 306, MCL 24.201 et seq. shall be in writing and shall be filed with the Board of Psychology, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) The board or its authorized representative may require a person to submit additional information deemed necessary to an appropriate resolution of a matter.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; rescinded 2001 MR 12, Eff. Jun 26, 2001; 2003 MR 18, Eff Oct. 8, 2003.

R 338.2504 License application requirements generally.

Rule 4. An applicant for a psychologist license or a psychologist limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall demonstrate a working knowledge of the English language and satisfy the applicable education, training, experience, and examination requirements set forth in these rules. To demonstrate a working knowledge of the English language, an applicant shall establish either of the following:

(a) That the applicant's psychologist educational program was taught in the English language.

(b) That the applicant has obtained a score of not less than 213 on the test of English as a foreign language administered by the educational

testing service and obtained a score of not less than 50 on the test of spoken English administered by the educational testing service or has passed other substantially equivalent English language proficiency examinations which assess all of the following:

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- (i) Reading comprehension.
 - (ii) Speaking skills.
 - (iii) Listening skills.
 - (iv) Ability to write clearly, using complete sentences with correct spelling, punctuation, and word usage.
- History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; rescinded 2001 MR 12, Eff. Jun 26, 2001; 2003 MR 18, Eff Oct. 8, 2003.

R 338.2505 Examination.

Rule 5. Effective 1 year after promulgation of these rules, all applicants seeking licensure under section 18223(1) of the code shall take a written examination to be administered by the department of consumer and industry services. The examination shall include subjects determined by the board as essential to the safe and competent practice of psychology. Passing scores or the procedure used to determine passing scores shall be established by the board and published before the examinations are administered.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2506 Application for licensure pursuant to §333.18223(1); education, training, and experience requirements.

Rule 6. To be granted a license pursuant to section 18223(1) of the code, an applicant shall satisfy all of the following requirements:

- (a) Education: An applicant shall possess either a doctoral degree in psychology or a doctoral degree in a closely related field from an institution that meets the standards adopted in R 338.2511(3). Either degree shall comply with all of the following:
 - (i) The degree shall be an integrated, organized sequence of study which includes instruction in research design and methodology, statistics, psychometrics, and scientific and professional ethics and standards.
 - (ii) The degree shall include at least 1 graduate course, taken for credit, from 3 of the 4 following areas:
 - (A) Biological bases of behavior: physiological psychology, comparative psychology, neuropsychology, sensation and perception, and psychopharmacology.
 - (B) Cognitive-affective bases of behavior: learning, thinking, motivation, and emotion.
 - (C) Social bases of behavior: social psychology, group processes, and organizational and systems theory.
 - (D) Individual differences: personality theory, human development, and abnormal psychology.
 - (iii) The degree shall include at least 1 course in both assessment and treatment.
 - (iv) Seventy-five percent of the hours required for the degree shall be primarily psychological in content. The dissertation and internship are excluded from what is considered course work. To be deemed psychological in content, a course shall satisfy at least 1 of the following criteria:
 - (A) Course work: The material taught is psychological.
 - (B) Psychology department: The course is taught in a psychology department.
- (b) Training: An applicant shall have participated in an internship program that complies with the following:
 - (i) The internship provides the applicant with substantial opportunities to carry out major professional functions in the context of appropriate supervisory support.
 - (ii) The internship should be an integrated part of the doctoral degree program; however, a postdoctoral internship may be recognized by the board if it meets the other requirements set forth in this subdivision.
 - (iii) The internship takes place in an organized health care setting, as defined in R 338.2501(l)(b), or other arrangement receiving approval of the board.
 - (iv) The internship requires the applicant to work not less than 20 hours per week in the internship program.
 - (v) The internship requires not less than 2,000 clock hours of psychological work.
 - (vi) The applicant is supervised by a psychologist who is licensed in Michigan, eligible for licensure in Michigan, or who is licensed or certified at the independent practice level in the state where the internship takes place.
 - (vii) The internship is separate and distinct from the applicant's required experience in the practice of psychology.
- (c) Experience: An applicant shall have acquired 2 years of postdoctoral experience in the practice of psychology which meets the following criteria:
 - (i) The experience constitutes not less than 4,000 hours.
 - (ii) Not more than 2,080 hours of acceptable experience shall be accumulated in any 1 calendar year.
 - (iii) The experience shall be accumulated at not less than 16 hours per week.
 - (iv) The applicant shall function as a psychologist using generally accepted applications of psychological knowledge and techniques acquired during the applicant's education and training.
 - (v) The experience is acquired in an organized health care setting, as defined in R 338.2501(1) (b), or other arrangement receiving approval of the board.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; 1979 ACS 12, Eff. Dec. 1, 1982; 2003 MR 18, Eff. Oct. 8, 2003.

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R 338.2507 Application for limited license pursuant to §333.18223(2); education, training, and experience requirements.

Rule 7. (1) To be granted a limited license pursuant to section 18223(2) of the code, an applicant shall comply with either of the following:

(a) Have been certified as a psychological examiner or eligible for certification as a psychological examiner under 1959 PA 257, MCL 338.1001 et seq. on or before September 30, 1978.

(b) Individuals who apply for licensure pursuant to section 18223(2) of the code and who are not eligible pursuant to subdivision (a) of this subrule shall meet the following education, training, and experience requirements:

(i) Education: Applicants for a limited license shall have earned a master's degree in psychology from an institution that meets the standards provided in R 338.2511(3).

(ii) Individuals who are enrolled in a master's degree program that qualified them for a limited license before the effective date of this amendatory rule and who apply for a limited license within 5 years of the effective date of this amendatory rule shall be eligible for a limited license pursuant to section 18223(2) of the code.

(iii) The degree required under this subdivision shall satisfy the following requirements:

(A) The degree shall be an integrated, organized sequence of study that includes at least 1 course in assessment, 1 course in treatment, and 1 course in scientific and professional ethics and standards.

(B) Seventy-five percent of the hours of the required course work shall be primarily psychological in content. The thesis and practicum are excluded from what is considered course work. The board may require the applicant to provide such material as it deems necessary to demonstrate the psychological content of a course. To be deemed psychological in content, a course shall satisfy at least 1 of the following criteria:

(1) Course work: The material taught is psychological.

(2) Psychology department: The course is taught in a psychology department.

(ii) Training: An applicant shall have participated in a practicum that complies with the following:

(A) The practicum should be an integrated part of the master's degree program; however, a post-degree practicum may be recognized by the board if such a practicum is through an institution that meets the standards adopted in R 338.2511(3) and for which academic graduate credit is obtained. The practicum shall also meet the other requirements set forth in this paragraph.

(B) The practicum requires not less than 500 clock hours of psychological work.

(C) The applicant is supervised by a psychologist who is licensed or eligible for licensure in Michigan, or who is licensed or certified at the independent practice level in the state where the practicum takes place.

(iii) Experience: Individuals applying after September 30, 1980, in addition to the requirements of paragraphs (i) and (ii) of this subdivision, shall have acquired 1 year of post-master's degree experience in the practice of psychology. To acquire the experience, the applicant shall obtain a temporary limited license for post-master's degree experience as provided in R 338.2507a. The experience shall comply with all of the following requirements:

(A) The experience shall constitute not less than 2,000 clock hours.

(B) The experience shall be accumulated at not less than 16 hours per week nor more than 40 hours per week.

(C) The applicant shall function as a psychologist using generally accepted applications of psychological knowledge and techniques acquired during the applicant's education and training.

(D) The experience shall be acquired in an organized health care setting, as defined in R 338.2501(1) (b), or other arrangement receiving approval by the board.

(E) The applicant shall be supervised by a psychologist who is licensed in Michigan, eligible for licensure in Michigan, or who is licensed or certified at the independent practice level in the state where the experience is obtained.

(F) If a psychologist described in subparagraph (E) of this paragraph is unavailable, the applicant may seek the approval of the board for supervision by a limited licensed psychologist, a person who has been granted a master's degree in psychology and who has acquired not less than 3 years (6,000 hours) of post-master's degree experience in the practice of psychology, or another individual approved by the board.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; 1979 ACS 12, Eff. Dec. 1, 1982; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2507a Application for temporary limited license for post-master's degree experience pursuant to §333.18223(2).

Rule 7a. (1) The board shall issue a temporary limited license for post-master's degree experience to an applicant who meets the following requirements:

(a) Has completed educational requirements as provided in these rules.

(b) Has completed training requirements as provided in these rules.

(c) Has made appropriate arrangements for supervision by a psychologist as provided in these rules.

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(2) A temporary limited license is valid for 2 years.

History: 1979 ACS 12, Eff. Dec. 1, 1982; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2508 Rescinded.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; rescinded 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2509 Rescinded.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; rescinded 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2510 Application for limited license pursuant to §333.18212(2); eligibility requirements.

Rule 10. (1) To be eligible for a limited license for postdoctoral training and experience under section 18212(2) of the code, an individual shall have been granted a doctoral degree which meets the requirements of R 338.2506(a).

(2) An individual granted a limited license for postdoctoral training and experience shall be supervised by a licensed psychologist in an organized health care setting or other arrangement that is approved by the board. Supervision shall be on a regular weekly, face-to-face basis, reviewing all active work functions and records of the individual, except in cases of extreme hardship where an alternative supervision arrangement is approved by the board before implementation of the arrangement. Such training and experience shall occur in an organized health care setting, as defined in R 338.2501(1) (b), or other arrangement receiving approval of the board.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; 1979 ACS 12, Eff. Dec. 1, 1982; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2511 Accreditation; adoption by reference.

Rule 11. (1) The board adopts by reference the recognition standards and criteria of the council for higher education accreditation (chea), effective January 1999, and the procedures and criteria for recognizing postsecondary accrediting agencies of the U.S. department of education, effective July 1, 2000 to determine “regionally accredited” as provided in section 18223(1) and (2) of the code. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection at the Board of Psychology, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council’s website at <http://www.chea.org>, at no cost. The federal recognition criteria also may be obtained from the U.S. Department of Education, Office of Postsecondary Education, 1990 K Street NW, Washington, DC 20006 or from the department’s website at <http://www.ed.gov/offices/OPE>, at no cost.

(2) The board adopts by reference the standards of the following postsecondary accrediting organizations, which are available for inspection at the Board of Psychology, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. Copies of the following standards may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Association of Colleges and Schools, Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled “Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation”, 2002 Edition, which is available free of charge on the association’s website at <http://www.msache.org> or for purchase at a cost of \$6.00 as of the time of adoption of these rules.

(b) The standards of the New England Association of Schools and Colleges, Inc., Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, set forth in the document entitled “Standards for Accreditation”, 2001 Edition, which is available free of charge on the association’s website at <http://www.neasc.org> or for purchase at a cost of \$5.00 as of the time of adoption of these rules.

(c) The standards of the North Central Association of Colleges and Schools, the Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, set forth in the document entitled “Handbook of Accreditation”, Second Edition, which is available for purchase through the association’s website at <http://www.ncahigherlearningcommission.org> at a cost of \$18.00 as of the time of adoption of these rules.

(d) The standards of the Northwest Association of Schools, Colleges, and Universities, the Commission on Colleges and Universities, 8060 165TH Avenue NE, Suite 100, Redmond, WA 98052, set forth in the document entitled “Accreditation Handbook”, 1999 Edition, which is available for purchase at a cost of \$12.00 as of the time of adoption of these rules, or through the association’s website at <http://www.nwccu.org>.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033, set forth in the document entitled “Criteria for Accreditation” 1998 edition, which is available free of charge on the association’s website at <http://www.sacscoc.org> or for purchase at a cost of \$12.00 as of the time of adoption of these rules.

(f) The standards of the Western Association of Schools and Colleges, the Accrediting Commission for Senior Colleges and

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Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled “2001 Handbook of Accreditation”, which is available free of charge on the commission’s website at <http://www.wascweb.org> or for purchase at a cost of \$20.00 as of the time of adoption of these rules.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 3402 Mendocino Avenue, Santa Rosa, CA 95403, set forth in the document entitled “The Handbook of Accreditation and Policy Manual”, 2002 Edition, which is available free of charge on the commission’s website at <http://www.wascweb.org>.

History: 1954 ACS 100, Eff. Sept. 15, 1979; 1979 AC; 1979 ACS 12, Eff. Dec. 1, 1982; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2512

Source: 1997 AACS.

R 338.2513

Source: 1982 AACS.

R 338.2514 Advertising.

Rule 14. (1) A psychologist licensed pursuant to section 18223(1) of the code is permitted to advertise unless such advertising is false or misleading to the public.

(2) Advertising means any representation, by whatever form that is intended for, or likely to be received by, the public and which offers or describes psychological services or abilities. Advertising includes, but is not limited to, all of the following:

- (a) Newspapers.
- (b) Magazines.
- (c) Radio.
- (d) Television.
- (e) Letterheads.
- (f) Business cards.
- (g) Business announcements.
- (h) Books.
- (i) Brochures.
- (j) Yellow pages.
- (k) Business directories.

(3) Advertising is false or misleading if it is any of the following:

- (a) Inaccurate.
- (b) Exaggerated.
- (c) Deceptive.
- (d) Unfair.
- (e) Fails to reveal a material fact, the omission of which tends to mislead to deceive the public.
- (f) Intended or likely to create unjustified expectations.
- (g) Likely to cause confusion or misunderstanding by the public.

(4) The following are examples of advertising that are permissible under these rules:

- (a) An advertisement may show all of the following:
 - (i) Fee information.
 - (ii) Policy regarding payment terms.
 - (iii) Academic degrees earned from institutions accredited or otherwise recognized by the board.
 - (iv) Office hours.
 - (v) Membership in professional associations.
 - (vi) American board of professional psychology diplomate status.
 - (vii) Policy regarding third-party payments.
 - (viii) That the licensee is a psychologist licensed in Michigan.
- (b) An advertisement may describe types of psychological services offered.
- (c) If practice is limited to a particular area or areas, that fact may be noted.

Advertising is not limited to the examples specifically set forth in this subrule, as long as it otherwise complies with these rules.

(5) A paid advertisement shall be identified as such, unless it is obvious from the context that it is a paid advertisement.

(6) An advertisement which identifies or names persons other than psychologists possessing a Michigan license or a Michigan limited license shall clearly disclose the professional identity of such persons.

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(7) The licensee is responsible for ensuring that advertising is not in conflict with these rules. A licensee securing advertising has the affirmative duty to review all advertisements before they are released to the public. Bona fide prior review of the advertisement will be prima facie proof that the licensee is not responsible for advertising violations introduced thereafter by other persons without the knowledge or involvement of the licensee.

(8) A limited licensee licensed pursuant to any section of part 182 of the code may not advertise; however, a psychologist licensed pursuant to section 18223(1) may in advertising identify a limited licensee subject to the following provisions:

(a) The advertisement shall identify the limited licensee's employer or supervisor as such.

(b) The advertisement may show the limited licensee's name and academic degrees earned from institutions accredited or otherwise recognized by the board.

(c) The advertisement shall identify the limited licensee as a "Michigan limited licensed psychologist."

(d) The advertisement shall display, in a manner which is conspicuous and which clearly indicates its applicability to the limited licensee named, the following statement: "A Michigan limited license permits practice under the supervision of a Michigan licensed psychologist."

(e) Letterheads and business cards need not comply with subdivision (d) of this subrule, but shall comply with all other portions of this subrule.

History: 1979 ACS 12, Eff. Dec. 1, 1982; 2003 MR 18, Eff. Oct. 8, 2003.

REAL ESTATE SCHOOLS

R 338.2601

Source: 1997 AACS.

R 338.2602

Source: 1997 AACS.

R 338.2603

Source: 1997 AACS.

R 338.2604

Source: 1997 AACS.

R 338.2605

Source: 1997 AACS.

R 338.2606

Source: 1997 AACS.

R 338.2607

Source: 1997 AACS.

R 338.2608

Source: 1997 AACS.

R 338.2609

Source: 1997 AACS.

R 338.2610

Source: 1997 AACS.

R 338.2611

Source: 1997 AACS.

R 338.2612

Source: 1997 AACS.

R 338.2613

Source: 1997 AACS.

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R 338.2614
Source: 1997 AACS.

R 338.2615
Source: 1997 AACS.

R 338.2616
Source: 1997 AACS.

R 338.2617
Source: 1997 AACS.

R 338.2618
Source: 1997 AACS.

R 338.2619
Source: 1997 AACS.

REAL ESTATE BROKERS AND SALESMEN

R 338.2701
Source: 1997 AACS.

R 338.2703
Source: 1997 AACS.

R 338.2721
Source: 1997 AACS.

R 338.2722
Source: 1997 AACS.

R 338.2723
Source: 1997 AACS.

R 338.2724
Source: 1997 AACS.

R 338.2725
Source: 1997 AACS.

R 338.2726
Source: 1997 AACS.

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R 338.2728
Source: 1997 AACS.

R 338.2729
Source: 1997 AACS.

R 338.2730
Source: 1997 AACS.

R 338.2731

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Source: 1997 AACS.

R 338.2732

Source: 1997 AACS.

R 338.2733

Source: 1997 AACS.

R 338.2734

Source: 1997 AACS.

R 338.2735

Source: 1997 AACS.

R 338.2736

Source: 1997 AACS.

R 338.2737

Source: 1997 AACS.

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Source: 1997 AACS.

R 338.2739

Source: 1997 AACS.

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Source: 1997 AACS.

R 338.2741

Source: 1997 AACS.

R 338.2742

Source: 1997 AACS.

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Source: 1997 AACS.

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Source: 1997 AACS.

R 338.2745

Source: 1997 AACS.

R 338.2746

Source: 1997 AACS.

R 338.2747

Source: 1997 AACS.

R 338.2748

Source: 1997 AACS.

R 338.2749

Source: 1997 AACS.

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R 338.2750
Source: 1997 AACCS.

R 338.2751
Source: 1997 AACCS.

R 338.2752
Source: 1997 AACCS.

R 338.2753
Source: 1997 AACCS.

R 338.2754
Source: 1997 AACCS.

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R 338.2766
Source: 1997 AACCS.

R 338.2767
Source: 1997 AACCS.

R 338.2768
Source: 1997 AACCS.

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R 338.2769
Source: 1997 AACs.

R 338.2770
Source: 1997 AACs.

R 338.2771
Source: 1997 AACs.

R 338.2772
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R 338.2783
Source: 1997 AACs.

R 338.2784
Source: 1997 AACs.

R 338.2785
Source: 1997 AACs.

R 338.2786
Source: 1997 AACs.

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NURSING HOME ADMINISTRATORS

R 338.2801
Source: 1997 AACs.

R 338.2802
Source: 1997 AACs.

R 338.2803
Source: 1997 AACs.

R 338.2804
Source: 1997 AACs.

R 338.2805
Source: 1997 AACs.

R 338.2806
Source: 1997 AACs.

R 338.2807
Source: 1997 AACs.

R 338.2808
Source: 1997 AACs.

R 338.2809
Source: 1997 AACs.

R 338.2810
Source: 1997 AACs.

R 338.2811
Source: 1997 AACs.

R 338.2812
Source: 1997 AACs.

R 338.2813
Source: 1997 AACs.

R 338.2814
Source: 1997 AACs.

R 338.2815
Source: 1997 AACs.

R 338.2816
Source: 1997 AACs.

R 338.2817
Source: 1997 AACs.

R 338.2818
Source: 1997 AACs.

R 338.2819
Source: 1997 AACs.

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NURSING HOME ADMINISTRATORS—CONTINUING EDUCATION

R 338.2841
Source: 1997 AACCS.

R 338.2842
Source: 1997 AACCS.

R 338.2843
Source: 1997 AACCS.

R 338.2844
Source: 1997 AACCS.

R 338.2845
Source: 1997 AACCS.

R 338.2846
Source: 1997 AACCS.

R 338.2847
Source: 1997 AACCS.

R 338.2848
Source: 1997 AACCS.

R 338.2849
Source: 1997 AACCS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

SOCIAL WORK - GENERAL RULES

R 338.2901 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means 1978 PA 368, MCL 333.1101 et seq. and known as the public health code.

(b) "Board" means the board of social work.

(2) As used in section 18507 of the act, "an associate degree in social work at a college approved by the board that includes supervised instructional field experience" means an associate degree from a program that requires completion of not less than 18 semester hours or not less than 27 quarter hours of social work courses and the completion of a social work field placement or internship of not less than 350 hours under the supervision of a certified social worker. This subrule takes effect 1 year after the effective date of these amendatory rules.

(3) As used in section 18507 of the act, "2 years of college" means the completion of 60 semester or 90 quarter hours of college-level courses, including not less than 18 semester hours or not less than 27 quarter hours of social work courses and the completion of a social work field placement or internship of not less than 350 hours under the supervision of a certified social worker. This subrule takes effect 1 year after the effective date of these amendatory rules.

History: 1954 ACS 79, Eff. May 29, 1974; 1979 AC; 1992 MR 4, Eff. Apr 30, 1992; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2902
Source: 1997 AACCS.

R 338.2903
Source: 1997 AACCS.

R 338.2904

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Source: 1997 AACCS.

R 338.2905 Rescinded.

History: 1954 ACS 79, Eff. May 29, 1974; 1979 AC; rescinded 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2906 Educational standards; adoption by reference.

Rule 6. (1) The board adopts by reference in these rules the standards of the council on social work education for the accreditation of social work education programs as set forth in the publication entitled "Handbook of Accreditation Standards and Procedures," fourth edition, which is available for inspection and distribution at cost from the Board of Social Work, Bureau of Health Services, Michigan Department of Consumer and Industry Services, 611 West Ottawa, Lansing, MI 48909, or from the Council on Social Work Education, 1725 Duke Street, Suite 500, Alexandria, VA 22314-3457 at a cost as of the time of adoption of these rules of \$35.00. A copy of this publication may be purchased from the council on social work education by calling 1-703-683-8080 or via the council's internet website at <http://www.cswe.org>. Completion of an accredited social work education program at the level required by the act shall be evidence of completion of a program acceptable to the department and approved by the board. Any other program that is submitted by an applicant shall be evaluated by the board to determine the program's equivalence to the standards of an accredited program.

(2) The board adopts by reference the recognition standards and criteria of the council for higher education accreditation (chea), effective January 1999, and the procedures and criteria for recognizing postsecondary accrediting agencies of the U.S. department of education, effective July 1, 2000. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection and distribution at cost from the Board of Social Work, Bureau of Health Services, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained from the U.S. Department of Education, Office of Postsecondary Education, 1990 K Street NW, Washington, DC 20006 or from the department's website at <http://www.ed.gov/offices/OPE> at no cost.

(3) The board adopts by reference the standards of the following postsecondary accrediting organizations, which may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Association of Colleges and Schools, Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation," 2002 edition, which is available free of charge on the association's website at <http://www.msache.org> or for purchase at a cost of \$6.00 as of the time of adoption of these rules.

(b) The standards of the New England Association of Schools and Colleges, Inc., Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, set forth in the document entitled "Standards for Accreditation," 2001 edition, which is available free of charge on the association's website at <http://www.neasc.org> or for purchase at a cost of \$5.00 as of the time of adoption of these rules.

(c) The standards of the North Central Association of Colleges and Schools, the Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, set forth in the document entitled "Handbook of Accreditation," second edition, which is available for purchase through the association's website at <http://www.ncahigherlearningcommission.org> at a cost of \$18.00 as of the time of adoption of these rules.

(d) The standards of the Northwest Association of Schools, Colleges, and Universities, the Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052, set forth in the document entitled "Accreditation Handbook," 1999 edition, which is available for purchase through the association's website at <http://www.nwccu.org> at a cost of \$12.00 as of the time of adoption of these rules.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033, set forth in the document entitled "Criteria for Accreditation" 1998 edition, which is available free of charge on the association's website at <http://www.sacscoc.org> or for purchase at a cost of \$12.00 as of the time of adoption of these rules.

(f) The standards of the Western Association of Schools and Colleges, the Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "2001 Handbook of Accreditation," which is available free of charge on the commission's website at <http://www.wascweb.org> or for purchase at a cost of \$20.00 as of the time of adoption of these rules.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 3402 Mendocino Avenue, Santa Rosa, CA 95403, set forth in the document entitled "The Handbook of Accreditation and Policy Manual," 2002 edition, which is available free of charge on the commission's website at <http://www.wascweb.org>.

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History: 1954 ACS 79, Eff. May 29, 1974; 1979 AC; 1992 MR 4, Eff. Apr. 30, 1992; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2906a Experience; general requirements; social work technician, social worker, certified social worker.

Rule 6a. (1) In addition to the standards specified in subrules (2) to (4) of this rule, all experience submitted by an applicant for registration at any level shall be in compliance with both of the following requirements:

- (a) The experience shall have been obtained after the completion of the education required for that level.
 - (b) The experience shall have been completed under the supervision of a Michigan certified social worker or a person who holds the equivalent license, certificate, or registration from a state that regulates social work. If an applicant presents experience obtained in a state that does not regulate social work, the experience shall have been obtained under the supervision of a person who possesses a master's degree in social work.
- (2) Qualifying experience for an applicant for registration as a social work technician under section 18507 of the act means the delivery of social work services through either of the following:
- (a) Interviewing clients to obtain data and provide information about available services and providing specific assistance to help people utilize community resources.
 - (b) Conducting case-finding activities in the community and encouraging and providing linkages to available services.
- (3) Qualifying experience for an applicant for registration as a social worker under section 18509 of the act means any of the following:
- (a) Social casework assessment, planning, and intervention with individuals, couples, families, or groups to enhance or restore the capacity for social functioning.
 - (b) Case management of health and human services.
 - (c) Providing information and referring people to resources and monitoring the results.
 - (d) Planning and collaborating with communities, organizations, or groups to improve their social or health services.
- (4) Qualifying experience for an applicant for registration as a certified social worker under section 18511 of the act means either of the following:
- (a) Psychosocial assessment, diagnosis, or treatment of mental, emotional, and behavioral disorders or planning and therapeutic intervention with an individual, a couple, a family or a group through the provision of individual, family, or group counseling or psychotherapy, or through social casework or group work.
 - (b) Helping communities, organizations, or groups improve their social or health services by utilizing community organization techniques.

History: 1992 MR 4, Eff. Apr. 30, 1992; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2907

Source: 1997 AACS.

R 338.2908 Level of registration; nonrenewal of registration.

Rule 8. (1) If the board determines that the applicant does not qualify for the level applied for, it shall drop the applicant to the proper level. This is not to be construed to deny the applicant his or her right to appeal the board decision.

(2) If an individual was enrolled in a graduate program in social work at the time of obtaining a social worker registration under section 18509 of the act, but did not complete the program and was no longer enrolled in the program and had not met the other requirements of section 18509, then the individual no longer is eligible to renew a registration under section 18509 of the act. The person who holds a social work registration is responsible for notifying the department that he or she has not met the requirements of this rule.

History: 1954 ACS 79, Eff. May 29, 1974; 1979 AC; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2908a Social work registration by examination; requirements; graduates of schools in compliance with board standards.

Rule 8a. (1) An applicant for social work registration by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules promulgated under the code, an applicant for social work registration by examination shall meet both of the following requirements:

- (a) Graduation from a baccalaureate degree program that complies with the standards set forth in R 338.2906.
 - (b) Completion of 2 or more years of social work experience, as required in section 18509 of the act.
- (2) For an application filed on or after January 1, 2004, in addition to meeting the requirements of subdivisions (a) and (b) of subrule (1), an applicant shall have passed the basic examination.

History: 2003 MR 18, Eff. Oct. 8, 2003.

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R 338.2908b Certified social work registration by examination; requirements; graduates of schools in compliance with board standards.

Rule 8b. (1) An applicant for certified social work registration by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules promulgated under the code, an applicant for certified social work registration by examination shall meet both of the following requirements:

(a) Graduation from a master's degree program from an accredited school of social work that complies with the standards in R 338.2906.

(b) Completion of 2 or more years of social work experience as required in section 18511 of the act.

(2) For an application filed on or after January 1, 2004, in addition to meeting the requirements of subdivisions (a) and (b) of subrule (1), an applicant shall have passed the clinical examination.

History: 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2908c Social work registration examination; passing scores.

Rule 8c. The board approves and adopts the basic social work examination developed and scored by the association of social work boards. A passing score on the examination shall be a converted score of not less than 75.

History: 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2908d Certified social work registration examination; passing scores.

Rule 8d. The board approves and adopts the clinical social work examination developed and scored by the association of social work boards. A passing score on the examination shall be a converted score of not less than 75.

History: 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2909 Prohibited conduct.

Rule 9. Prohibited conduct includes, but is not limited to, the following acts or omissions by a certified social worker, social worker, or social work technician:

(a) Willful or negligent failure to provide or arrange for provision of continuity of necessary service.

(b) Refusing to provide professional service to a person because of the person's race, creed, color, national origin, age, sex, sexual orientation, or disability.

(c) Involvement in a dual relationship with a client or a former client and/or a client's or former client's immediate family in which there is a risk of exploitation or harm to the client.

(d) Involvement in a conflict of interest that interferes with the exercise of professional discretion or makes a client's interests secondary.

(e) Taking advantage of any professional relationship or exploiting others to further the social worker's personal, religious, political, and/or business/financial interests.

(f) Involvement in or soliciting a sexual relationship with a client or member or members of the client's immediate family.

(g) Involvement in or soliciting a sexual relationship with a former client or member or members of a former client's family within 3 years of the termination of treatment, irrespective of whether the actions are consensual or forced. Disciplinary action is not precluded against a person who becomes involved in a sexual relationship with a former client or member or members of a former client's family more than 3 years after the termination of treatment when there is a risk of exploitation or harm to the client.

History: 1954 ACS 79, Eff. May 29, 1974; 1979 AC; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2910 Unprofessional advertising.

Rule 10. Unprofessional advertising by a social worker consists of preparing or consenting to the preparation by action or inaction public announcements that fail to conform to the following professional standards:

(a) Cards or announcements concerning social work practice shall be limited to a statement of the name, highest relevant degree, registration or diplomate status, address and telephone number, office hours and field of specialization.

(b) Brochures, catalogs, or other forms of advertising media which bear the name of the certified social worker, social worker or social work technician announcing any services, fees, or fee ranges being offered shall describe the services accurately, but shall not claim or imply superior professional competence.

History: 1954 ACS 79, Eff. May 29, 1974; 1979 AC; 2003 MR 18, Eff. Oct. 8, 2003.

R 338.2911

Source: 1997 AACS.

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R 338.2912
Source: 1997 AACS.

R 338.2913
Source: 1997 AACS.

R 338.2914
Source: 1997 AACS.

R 338.2915
Source: 1997 AACS.

PHARMACY

R 338.3042
Source: 1997 AACS.

SOCIAL WORKERS—CONTINUING EDUCATION

R 338.3044
Source: 1982 AACS.

CONTROLLED SUBSTANCES

PART 1. GENERAL PROVISIONS

R 338.3101
Source: 2002 AACS.

R 338.3102
Source: 2002 AACS.

R 338.3104
Source: 2002 AACS.

R 338.3108
Source: 1992 AACS.

PART 2. SCHEDULES

R 338.3111
Source: 1995 AACS.

R 338.3113
Source: 2002 AACS.

R 338.3113a
Source: 2002 AACS.

R 338.3114
Source: 1986 AACS.

R 338.3114a
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R 338.3116

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Source: 1994 AACS.

R 338.3117

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R 338.3118

Source: 1992 AACS.

R 338.3119

Source: 1992 AACS.

R 338.3119a

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R 338.3119b

Source: 1994 AACS.

R 338.3120

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R 338.3121a

Source: 2002 AACS.

R 338.3122

Source: 1994 AACS.

R 338.3123

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R 338.3125

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R 338.3126

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R 338.3127

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R 338.3129

Source: 1992 AACS.

PART 3. LICENSES

R 338.3131

Source: 1997 AACS.

R 338.3132

Source: 2002 AACS.

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Source: 2002 AACS.

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R 338.3136

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R 338.3137

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Source: 1992 AACS.

R 338.3138

Source: 2002 AACS.

R 338.3139

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PART 4. SECURITY

R 338.3141

Source: 2002 AACS.

R 338.3143

Source: 2002 AACS.

R 338.3145

Source: 2002 AACS.

PART 5. RECORDS

R 338.3151

Source: 2002 AACS.

R 338.3152

Source: 2002 AACS.

R 338.3153

Source: 2002 AACS.

R 338.3153a

Source: 2002 AACS.

R 338.3154

Source: 2002 AACS.

PART 6. DISPENSING AND ADMINISTERING PRESCRIPTIONS

R 338.3161

Source: 2002 AACS.

R 338.3162

Source: 2002 AACS.

R 338.3162a

Source: 2002 AACS.

R 338.3162b

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R 338.3162c

Source: 2002 AACS.

R 338.3162d

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R 338.3162e

Source: 2002 AACS.

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R 338.3164
Source: 2002 AACS.

R 338.3165
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R 338.3170
Source: 2002 AACS.

PART 7. DISTRIBUTIONS

R 338.3181
Source: 1992 AACS.

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R 338.3185
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R 338.3186
Source: 1992 AACS.

PART 8. ADMINISTRATIVE AND DISCIPLINARY PROCEEDINGS

R 338.3191
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R 338.3196
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R 338.3197
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R 338.3198a
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R 338.3199f
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R 338.3199m
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R 338.3199n
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R 338.3199o
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R 338.3199p
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R 338.3199q
Source: 1997 AACS.

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R 338.3201
Source: 1990 AACS.

R 338.3208
Source: 1990 AACS.

PART 3. REGISTRATION OF NONEXEMPT SUBDIVIDED LANDS

R 338.3239
Source: 1990 AACS.

PART 15. DECLARATORY RULINGS; INVESTIGATIONS; HEARINGS

R 338.3461
Source: 1990 AACS.

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PART 1. GENERAL PROVISIONS

R 338.3601
Source: 1997 AACS.

R 338.3602
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R 338.3603
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R 338.3604
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R 338.3605
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R 338.3606
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R 338.3612
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Source: 1997 AACS.

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PART 3. CRITERIA FOR PODIATRIC PRECEPTORSHIP PROGRAMS

R 338.3621

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ADMINISTRATIVE HEARINGS—VETERINARY MEDICINE

R 338.3821

Source: 1997 AACS.

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R 338.3826
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R 338.3846
Source: 1997 AACS.

R 338.3847
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R 338.3848
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SANITARIANS—REGISTRATION

R 338.3901
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R 338.3903
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R 338.3904
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R 338.3906
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R 338.3907
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R 338.3908
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R 338.3909
Source: 1982 AACS.

ADMINISTRATIVE HEARINGS—SANITARIANS

R 338.3921
Source: 1997 AACS.

**ADMINISTRATIVE AND DISCIPLINARY PROCEDURE
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R 338.3971
Source: 1997 AACS.

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R 338.3974

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Source: 1997 AACS.

R 338.3974a

Source: 1997 AACS.

R 338.3975

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**PRIVATE EMPLOYMENT BUREAU
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R 338.4001

Source: 1997 AACS.

R 338.4002

Source: 1997 AACS.

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DENTISTRY

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R 338.4102
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R 338.4406

Source: 1997 AACS.

R 338.4407

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Source: 1997 AACs.

R 338.4408

Source: 1997 AACs.

R 338.4409

Source: 1997 AACs.

R 338.4410

Source: 1997 AACs.

R 338.4411

Source: 1997 AACs.

R 338.4412

Source: 1997 AACs.

R 338.4413

Source: 1997 AACs.

R 338.4414

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R 338.4415

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R 338.4416

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R 338.4417

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R 338.4418

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R 338.4419

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R 338.4420

Source: 1997 AACs.

R 338.4421

Source: 1997 AACs.

R 338.4422

Source: 1997 AACs.

R 338.4423

Source: 1997 AACs.

R 338.4424

Source: 1997 AACs.

R 338.4425

Source: 1997 AACs.

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PART 5. SPECIALTIES

R 338.4501
Source: 1997 AACs.

R 338.4502
Source: 1997 AACs.

R 338.4503
Source: 1997 AACs.

R 338.4504
Source: 1997 AACs.

R 338.4505
Source: 1997 AACs.

R 338.4506
Source: 1997 AACs.

R 338.4507
Source: 1997 AACs.

R 338.4508
Source: 1997 AACs.

R 338.4509
Source: 1997 AACs.

R 338.4510
Source: 1997 AACs.

R 338.4511
Source: 1997 AACs.

R 338.4512
Source: 1997 AACs.

R 338.4513
Source: 1997 AACs.

R 338.4514
Source: 1997 AACs.

R 338.4515
Source: 1997 AACs.

R 338.4516
Source: 1997 AACs.

R 338.4517
Source: 1997 AACs.

R 338.4518
Source: 1997 AACs.

R 338.4519

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Source: 1997 AACs.

R 338.4520

Source: 1997 AACs.

R 338.4521

Source: 1997 AACs.

R 338.4522

Source: 1997 AACs.

R 338.4523

Source: 1997 AACs.

R 338.4524

Source: 1997 AACs.

R 338.4525

Source: 1997 AACs.

R 338.4526

Source: 1997 AACs.

R 338.4527

Source: 1997 AACs.

R 338.4528

Source: 1997 AACs.

R 338.4529

Source: 1997 AACs.

R 338.4530

Source: 1997 AACs.

R 338.4531

Source: 1997 AACs.

R 338.4532

Source: 1997 AACs.

R 338.4533

Source: 1997 AACs.

R 338.4534

Source: 1997 AACs.

R 338.4535

Source: 1997 AACs.

R 338.4536

Source: 1997 AACs.

R 338.4537

Source: 1997 AACs.

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R 338.4538
Source: 1997 AACs.

R 338.4539
Source: 1997 AACs.

R 338.4540
Source: 1997 AACs.

R 338.4541
Source: 1997 AACs.

R 338.4542
Source: 1997 AACs.

R 338.4543
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R 338.4544
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R 338.4545
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R 338.4546
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R 338.4547
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R 338.4548
Source: 1997 AACs.

R 338.4549
Source: 1997 AACs.

R 338.4550
Source: 1997 AACs.

R 338.4551
Source: 1997 AACs.

R 338.4552
Source: 1997 AACs.

R 338.4553
Source: 1997 AACs.

R 338.4554
Source: 1997 AACs.

R 338.4555
Source: 1997 AACs.

PART 6. ADMINISTRATIVE HEARINGS

**Annual Administrative Code Supplement
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R 338.4601
Source: 1997 AACs.

R 338.4605
Source: 1997 AACs.

R 338.4606
Source: 1997 AACs.

R 338.4607
Source: 1997 AACs.

R 338.4608
Source: 1997 AACs.

R 338.4609
Source: 1997 AACs.

R 338.4610
Source: 1997 AACs.

R 338.4611
Source: 1997 AACs.

R 338.4612
Source: 1997 AACs.

R 338.4613
Source: 1997 AACs.

R 338.4614
Source: 1997 AACs.

R 338.4615
Source: 1997 AACs.

R 338.4616
Source: 1997 AACs.

R 338.4617
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R 338.4618
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R 338.4619
Source: 1997 AACs.

R 338.4620
Source: 1997 AACs.

R 338.4621
Source: 1997 AACs.

R 338.4622
Source: 1997 AACs.

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R 338.4623
Source: 1997 AACs.

R 338.4624
Source: 1997 AACs.

R 338.4625
Source: 1997 AACs.

R 338.4626
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R 338.4627
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R 338.4628
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R 338.4635
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R 338.4636
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R 338.4637
Source: 1997 AACs.

R 338.4638
Source: 1997 AACs.

R 338.4639
Source: 1997 AACs.

R 338.4640
Source: 1997 AACs.

R 338.4641

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Source: 1997 AACS.

R 338.4642

Source: 1997 AACS.

R 338.4643

Source: 1997 AACS.

R 338.4644

Source: 1997 AACS.

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R 338.4650

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R 338.4651

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Source: 1997 AACS.

R 338.4658

Source: 1997 AACS.

R 338.4659

Source: 1997 AACS.

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R 338.4660
Source: 1997 AACCS.

R 338.4661
Source: 1997 AACCS.

R 338.4662
Source: 1997 AACCS.

R 338.4663
Source: 1997 AACCS.

R 338.4664
Source: 1997 AACCS.

R 338.4665
Source: 1997 AACCS.

R 338.4666
Source: 1997 AACCS.

R 338.4667
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R 338.4668
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R 338.4669
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R 338.4670
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R 338.4671
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R 338.4672
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R 338.4673
Source: 1997 AACCS.

R 338.4674
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R 338.4675
Source: 1997 AACCS.

R 338.4676
Source: 1997 AACCS.

R 338.4677
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R 338.4678
Source: 1997 AACCS.

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R 338.4679
Source: 1997 AACCS.

R 338.4680
Source: 1997 AACCS.

R 338.4681
Source: 1997 AACCS.

R 338.4682
Source: 1997 AACCS.

R 338.4683
Source: 1997 AACCS.

R 338.4684
Source: 1997 AACCS.

R 338.4685
Source: 1997 AACCS.

R 338.4686
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R 338.4687
Source: 1997 AACCS.

R 338.4688
Source: 1997 AACCS.

R 338.4689
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R 338.4690
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R 338.4691
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R 338.4692
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R 338.4693
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R 338.4694
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R 338.4695
Source: 1997 AACCS.

R 338.4696
Source: 1997 AACCS.

R 338.4697

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Source: 1997 AACs.

R 338.4698

Source: 1997 AACs.

VETERINARY MEDICINE

PART 1. GENERAL PROVISIONS

R 338.4901

Source: 1981 AACs.

R 338.4902

Source: 1990 AACs.

R 338.4903

Source: 1990 AACs.

R 338.4904

Source: 1997 AACs.

R 338.4905

Source: 1997 AACs.

R 338.4906

Source: 1990 AACs.

R 338.4907

Source: 1997 AACs.

R 338.4908

Source: 1990 AACs.

R 338.4909

Source: 1997 AACs.

R 338.4910

Source: 1990 AACs.

R 338.4911

Source: 1990 AACs.

R 338.4912

Source: 1997 AACs.

R 338.4913

Source: 1981 AACs.

R 338.4914

Source: 1990 AACs.

R 338.4914a

Source: 1990 AACs.

R 338.4915

Source: 1990 AACs.

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R 338.4916
Source: 1997 AACS.

R 338.4917
Source: 1997 AACS.

R 338.4918
Source: 1990 AACS.

R 338.4919
Source: 1981 AACS.

R 338.4920
Source: 1990 AACS.

VETERINARY TECHNICIAN LICENSURE

R 338.4971
Source: 1981 AACS.

R 338.4972
Source: 1990 AACS.

R 338.4973
Source: 1990 AACS.

R 338.4974
Source: 1997 AACS.

R 338.4975
Source: 1997 AACS.

R 338.4976
Source: 1990 AACS.

R 338.4977
Source: 1997 AACS.

R 338.4978
Source: 1990 AACS.

R 338.4979
Source: 1997 AACS.

R 338.4980
Source: 1997 AACS.

R 338.4981
Source: 1997 AACS.

R 338.4982
Source: 1990 AACS.

R 338.4983
Source: 1997 AACS.

R 338.4984
Source: 1981 AACS.

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ACCOUNTING

PART 1. GENERAL PROVISIONS

R 338.5101

Source: 1998-2000 AACs.

R 338.5103

Source: 1998-2000 AACs.

R 338.5105 Board meetings.

Rule 105. Board meetings are conducted in accordance with 1976 PA 267, MCL 15.261 et seq., and are open to the public. History: 1954 ACS 101, Eff. Oct. 31, 1979; 1979 AC; 1986 MR 12, Eff. Jan. 1, 1987; 1999 MR 8, Eff. Aug. 19, 1999; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.5110

Source: 1998-2000 AACs.

R 338.5110a Computerized Examination Procedures.

Rule 110a. Upon implementation of a computer-based examination, the following procedures shall apply:

- (a) Applicants may take the required examination sections individually and in any order.
- (b) Applicants shall pass all sections of the examination within a rolling 18-month period beginning on the date that the first section is passed. If all sections are not passed within the rolling 18-month period, then credit for any section passed outside the 18-month period shall expire and must be retaken.
- (c) Applicants shall not retake failed sections of the examination within the same examination window.
- (d) Applicants who earned conditional credit on the paper and pencil examination shall be given conditional credit for the corresponding sections of the computer-based examination, as follows:

Pencil & Paper Examination	Computer-Based Examination
Auditing	Auditing & Attestation
Financial Accounting & Reporting	Financial Accounting & Reporting
Accounting & Reporting	Regulation
Business Law & Professional Responsibilities	Business Environment & Concepts

(e) Candidates who have earned conditional credit on the paper and pencil examination shall be given a transition period to pass all remaining test sections not previously passed.

(i) The transition period is 1 of the following, whichever is exhausted first:

(A) The time period represented by the number of remaining examination administrations under the paper and pencil examination, multiplied by 6 months.

(B) The number of examination administrations that candidates, conditioned under the paper and pencil examination, have left at the launch of the computer-based examination to pass all remaining test sections. Each administration of the paper and pencil examination is equal to 1 3-month window in which any or all parts of the computerized examination may be taken 1 time.

(ii) Candidates who do not pass all remaining examination sections during the transition period shall lose credit for sections passed under the paper and pencil examination.

(f) For purposes of this rule, "opportunities" means the 3-month periods in which 1 or all parts of the examination may be taken 1 time.

(g) Until implementation of a computerized examination, candidates may continue to utilize the paper and pencil version of the examination, and the provisions of R 338.5110, R 338.5111 and R 338.5112 shall apply.

History: 2003 MR 20, Eff. Oct. 29, 2003.

R 338.5111

Source: 1998-2000 AACs.

R 338.5112

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Source: 1998-2000 AACCS.

R 338.5114

Source: 1998-2000 AACCS.

R 338.5115

Source: 1998-2000 AACCS.

R 338.5120

Source: 1998-2000 AACCS.

R 338.5125

Source: 1997 AACCS.

R 338.5130

Source: 1998-2000 AACCS.

R 338.5135

Source: 1997 AACCS.

R 338.5140

Source: 1998-2000 AACCS.

R 338.5145

Source: 1998-2000 AACCS.

R 338.5147

Source: 1998-2000 AACCS.

R 338.5150

Source: 1998-2000 AACCS.

R 338.5155

Source: 1998-2000 AACCS.

R 338.5160

Source: 1997 AACCS.

R 338.5165

Source: 1997 AACCS.

R 338.5170

Source: 1997 AACCS.

PART 2. CONTINUING EDUCATION

R 338.5201

Source: 1997 AACCS.

R 338.5205

Source: 1997 AACCS.

R 338.5210

Source: 1998-2000 AACCS.

R 338.5211

Source: 1998-2000 AACCS.

R 338.5215 Measurement of continuing education hours; “continuous instruction” defined.

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Rule 215. (1) The department shall give continuing education credit based on the length of a qualifying program, with 50 minutes of continuous instruction constituting 1 qualifying hour. One-half-credit of continuing education shall be granted for every additional 25 minutes of instruction, after the first hour of credit is earned. The department shall not allow credit for continuing education hours for time expended for outside study, except as provided under R 338.5218.

(2) For the purpose of this rule, "continuous instruction" means education time not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.

History: 1954 ACS 101, Eff. Oct. 31, 1979; 1979 AC; 1986 MR 12, Eff. Jan. 1, 1987; 1996 MR 1, Eff. Jan. 19, 1996; 1999 MR 8, Eff. Aug. 19, 1999; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.5216

Source: 1998-2000 AACS.

R 338.5217

Source: 1998-2000 AACS.

R 338.5218

Source: 1996 AACS.

R 338.5220

Source: 1997 AACS.

R 338.5221

Source: 1998-2000 AACS.

R 338.5225

Source: 1997 AACS.

R 338.5230 Entry or reentry into practice of public accounting; continuing education requirements.

Rule 230. (1) The department shall issue a license to a licensure applicant applying for reciprocity or reentering the practice of public accounting upon receiving proof from the applicant that he or she has completed 40 hours of continuing education credit within the 12 months immediately preceding the date of application. Eight of the 40 hours shall be in auditing or accounting, or both, and 2 of the 40 hours shall be in ethics.

(2) The department shall prorate, from the month following the date of licensure, the qualifying hours required for the continuing education period in which the license is granted.

(3) The department shall deem a person granted an original certificate of certified public accountant to have complied with all continuing education requirements through the continuing education period ending June 30 of the year in which the certificate was granted.

History: 1954 ACS 101, Eff. Oct. 31, 1979; 1979 AC; 1986 MR 12, Eff. Jan. 1, 1987; 1996 MR 1, Eff. Jan. 19, 1996; 1999 MR 8, Eff. Aug. 19, 1999; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.5235

Source: 1997 AACS.

R 338.5240

Source: 1998-2000 AACS.

R 338.5245

Source: 1997 AACS.

R 338.5250

Source: 1997 AACS.

R 338.5255

Source: 1998-2000 AACS.

R 338.5260

Source: 1986 AACS.

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R 338.5265
Source: 1997 AACS.

R 338.5270
Source: 1986 AACS.

R 338.5275
Source: 1998-2000 AACS.

R 338.5280
Source: 1997 AACS.

R 338.5285
Source: 1997 AACS.

PART 3. HEARINGS AND COMPLIANCE CONFERENCES

R 338.5301
Source: 1997 AACS.

R 338.5303
Source: 1997 AACS.

R 338.5304
Source: 1997 AACS.

R 338.5305
Source: 1998-2000 AACS.

R 338.5309
Source: 1997 AACS.

R 338.5311
Source: 1997 AACS.

R 338.5313
Source: 1997 AACS.

R 338.5315
Source: 1997 AACS.

R 338.5317
Source: 1997 AACS.

R 338.5319
Source: 1997 AACS.

R 338.5321
Source: 1997 AACS.

R 338.5323
Source: 1997 AACS.

R 338.5325
Source: 1997 AACS.

R 338.5327
Source: 1997 AACS.

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R 338.5329
Source: 1997 AACS.

R 338.5331
Source: 1997 AACS.

R 338.5333
Source: 1997 AACS.

R 338.5335
Source: 1997 AACS.

R 338.5337
Source: 1997 AACS.

R 338.5339
Source: 1997 AACS.

R 338.5341
Source: 1997 AACS.

R 338.5343
Source: 1997 AACS.

R 338.5345
Source: 1998 - 2000 AACS.

R 338.5347
Source: 1997 AACS.

R 338.5349
Source: 1997 AACS.

R 338.5351
Source: 1997 AACS.

PART 4. PROFESSIONAL CONDUCT

R 338.5401
Source: 1998-2000 AACS.

R 338.5405 Independence rule; adoption by reference.

Rule 405. A licensee, including a firm, may express an opinion on financial statements of an enterprise only if the licensee is independent from the enterprise. For the purpose of defining the impairment of independence, the board adopts the American institute of certified public accountants rule on independence contained in the publication entitled "Code of Professional Conduct" dated November 2001. Copies of the code are available for inspection at the board of accountancy office, 2501 Woodlake Circle, Okemos, Michigan and may be purchased from the American Institute of Certified Public Accountants, Harborside Financial Center, 201 Plaza Three, Jersey City NJ 07311, at a cost of \$5.50 as of the time of adoption of these rules. Copies are also available on the AICPA web site: <http://www.aicpa.org/about/code/sec100.htm>, and may be downloaded without charge.

History: 1954 ACS 101, Eff. Oct. 31, 1979; 1979 AC; 1986 MR 12, Eff. Jan. 1, 1987; 1996 MR 1, Eff. Jan. 19, 1996; 1999 MR 8, Eff. Aug. 19, 1999; 2003 MR 20, Eff. Oct. 29, 2003.

R 338.5410
Source: 1997 AACS.

R 338.5415
Source: 1997 AACS.

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R 338.5420

Source: 1997 AACS.

R 338.5425

Source: 1997 AACS.

R 338.5430

Source: 1998-2000 AACS.

R 338.5435

Source: 1998-2000 AACS.

R 338.5440

Source: 1998-2000 AACS.

R 338.5445

Source: 1998-2000 AACS.

R 338.5446

Source: 1998-2000 AACS.

R 338.5450

Source: 1998-2000 AACS.

R 338.5460

Source: 1998-2000 AACS.

R 338.5465

Source: 1998-2000 AACS.

R 338.5470

Source: 1997 AACS.

R 338.5475

Source: 1998-2000 AACS.

R 338.5480

Source: 1998-2000 AACS.

R 339.6001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means 1980 PA 299, MCL 339.101 et seq.

(b) "Board" means the board of barber examiners.

(c) "Chairperson" means the person who is authorized to convene and moderate a public body meeting on behalf of the board.

(d) "Political subdivision" means a county, city, village, township, school district, or authority created pursuant to a local ordinance.

(2) The terms defined in the act have the same meanings when used in these rules.

History: 1991 MR 2, Eff. Mar. 15, 1991; 2003 MR 17, Eff. Sept. 19, 2003.

R 339.6003 Board meetings.

Rule 3. Board meetings are conducted in accordance with 1975 PA 267, MCL 15.261 et seq., the open meetings act, and are open to the public.

History: 1991 MR 2, Eff. Mar. 15, 1991; 2003 MR 17, Eff. Sept. 19, 2003.

PART 3. SANITATION

R 339.6039 Blood Spill Procedures.

Rule 39. (1) A licensee, barber shop owner, instructor, student, or barber school owner shall comply with all of the following

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provisions if a blood spill occurs:

- (a) Temporarily suspend the service being performed.
 - (b) Provide the patron or other person who is bleeding with adequate first aid supplies so that the bleeding can be stopped and the wound covered.
 - (c) Sterilize any equipment, implements, or tools which have come into contact with the blood spill.
 - (d) Immediately discard porous materials or supplies which have come into contact with a blood spill.
 - (e) Immediately clean floors, counters, chairs, or other durable surfaces in the area of the blood spill with a sodium hypochlorite solution, such as household bleach, or other hospital-grade disinfectant.
 - (f) Dispose of blood spill waste in clearly labeled leakproof containers or bags.
- (2) A licensee, student, or instructor shall not perform services or demonstrations on a patron until all bleeding has ceased and all wounds covered. A licensee, student, or instructor shall keep an open sore, cut, burn, or other injury on patrons or on themselves covered at all times when performing services or demonstrations.

History: 2003 MR 17, Eff. Sept. 19, 2003.

PART 4. BARBER COLLEGES

R 339.6045 Student conduct; education requirements.

Rule 45. (1) A barber college shall not permit a student to work on a public patron in a barber college until he or she presents a student license issued to the student. A student shall comply strictly with the rules governing barbers and barber shops in this state.

(2) For the purpose of meeting the equivalent tenth grade education requirement as used in the act, the department shall accept a score of 39 or higher, before January, 2002, or, for tests administered in January, 2002 or later, 390 or higher using the general educational development (GED) test, or the ability to benefit (ATB) basic skills tests approved by the U.S. department of education as constituting prima facie evidence of equivalence to a tenth grade education.

(3) For the purpose of meeting the requirements of graduation from an accredited high school as used in the act, the department shall accept successful completion of the general educational development (GED) test or the ability to benefit (ATB) scholastic level exam as constituting prima facie evidence of demonstrating equivalence to a high school diploma.

(4) Information about the general educational development certification (GED) test is available from the Michigan Department of Career Development, Victor Office Center, 201 N. Washington Square, Lansing MI 48913, telephone: 517/373-1692. Information about the ability to benefit basic skills tests (WBST) and the scholastic level exam (SLE) is available from Wonderlic, Inc., 1795 N. Butterfield Road, Libertyville IL 60048-1238. Telephone: toll free 877/568-5791 or local: 847/247-2530. Internet address: www.wonderlic.com.

History: 1991 MR 2, Eff. Mar. 15, 1991; 2003 MR 17, Eff. Sept. 19, 2003.

PHYSICIAN'S ASSISTANTS

PART 1. GENERAL PROVISIONS

R 338.6101

Source: 1990 AACCS.

R 338.6102

Source: 1997 AACCS.

PART 2. PHYSICIAN'S ASSISTANT PROGRAM APPROVAL

R 338.6201

Source: 1990 AACCS.

R 338.6202

Source: 1997 AACCS.

R 338.6203

Source: 1997 AACCS.

R 338.6204

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Source: 1997 AACS.

R 338.6205

Source: 1997 AACS.

R 338.6206

Source: 1997 AACS.

R 338.6207

Source: 1997 AACS.

R 338.6208

Source: 1997 AACS.

R 338.6209

Source: 1997 AACS.

R 338.6210

Source: 1997 AACS.

R 338.6211

Source: 1997 AACS.

PART 3. PHYSICIAN'S ASSISTANT LICENSE

R 338.6301

Source: 1990 AACS.

R 338.6302

Source: 1997 AACS.

R 338.6303

Source: 1997 AACS.

R 338.6304

Source: 1997 AACS.

R 338.6305

Source: 1990 AACS.

R 338.6306

Source: 1997 AACS.

R 338.6307

Source: 1997 AACS.

R 338.6308

Source: 1990 AACS.

PART 4. ADMINISTRATIVE HEARINGS

R 338.6401

Source: 1997 AACS.

PHYSICAL THERAPY

R 338.7101

Source: 1991 AACS.

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R 338.7102
Source: 1983 AACS.

R 338.7103
Source: 1983 AACS.

R 338.7104
Source: 1998-2000 AACS.

R 338.7105
Source: 1991 AACS.

R 338.7106
Source: 1997 AACS.

R 338.7107
Source: 1995 AACS.

R 338.7107a
Source: 1998-2000 AACS.

R 338.7108
Source: 1991 AACS.

R 338.7109
Source: 1983 AACS.

R 338.7110
Source: 1995 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

MARRIAGE AND FAMILY THERAPY

R 338.7201
Source: 1998-2000 AACS.

R 338.7203
Source: 1998-2000 AACS.

R 338.7205
Source: 1998-2000 AACS.

R 338.7207
Source: 1998-2000 AACS.

R 338.7209
Source: 1998-2000 AACS.

R 338.7211
Source: 1998-2000 AACS.

R 338.7213
Source: 1998-2000 AACS.

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R 338.7215
Source: 1998-2000 AACS.

R 338.7217
Source: 1998-2000 AACS.

PODIATRIC MEDICINE AND SURGERY

PART 1. GENERAL PROVISIONS

R 338.8101
Source: 1990 AACS.

R 338.8103
Source: 1990 AACS.

R 338.8104
Source: 1990 AACS.

R 338.8107
Source: 1990 AACS.

R 338.8108
Source: 1990 AACS.

R 338.8109
Source: 1990 AACS.

R 338.8113
Source: 1990 AACS.

R 338.8125
Source: 1997 AACS.

R 338.8145
Source: 1990 AACS.

FORENSIC POLYGRAPH EXAMINERS

R 338.9001
Source: 1983 AACS.

R 338.9002
Source: 1983 AACS.

R 338.9003
Source: 1983 AACS.

R 338.9004
Source: 1983 AACS.

R 338.9005
Source: 1983 AACS.

R 338.9006
Source: 1983 AACS.

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R 338.9007

Source: 1983 AACCS.

R 338.9008

Source: 1983 AACCS.

R 338.9009

Source: 1983 AACCS.

R 338.9010

Source: 1983 AACCS.

R 338.9011

Source: 1983 AACCS.

R 338.9012

Source: 1983 AACCS.

R 338.9013

Source: 1983 AACCS.

NURSING

PART 1. GENERAL PROVISIONS

R 338.10101 Definitions.

Rule 101. (1) As used in this part:

(a) "Act" means 1978 PA 368, MCL 333.1101 et seq.

(b) "Authorized representative" means the chairperson, vice chairperson, or such other member of the board or staff as the board may formally designate.

(c) "Board" means the Michigan board of nursing.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1989 MR 2, Eff. Mar. 1, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10102 Request for board action.

Rule 102. (1) A person who desires to submit a request for declaratory

ruling under 1969 PA 306, MCL 24.201 et seq. shall make that request in writing. The request shall be filed with the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) The board or its authorized representative may require the person to submit additional information necessary to make an appropriate resolution of the matter.

History: 1989 MR 2, Eff. Mar. 1, 1989; rescinded 2001 MR 12, Eff. Jun 26, 2001; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10103

Source: 1989 AACCS.

R 338.10104 Delegation.

Rule 104. (1) Only a registered nurse may delegate nursing acts, functions, or tasks. A registered nurse who delegates nursing acts, functions, or tasks shall do all of the following:

(a) Determine whether the act, function, or task delegated is within the registered nurse's scope of practice.

(b) Determine the qualifications of the delegatee before such delegation.

(c) Determine whether the delegatee has the necessary knowledge and skills for the acts, functions, or tasks to be carried out safely and competently.

(d) Supervise and evaluate the performance of the delegatee.

(e) Provide or recommend remediation of the performance when indicated.

(2) The registered nurse shall bear ultimate responsibility for the performance of nursing acts, functions, or tasks performed

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by the delegatee within the scope of the delegation.

History: 1989 MR 2, Eff. Mar. 1, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10199

Source: 1989 AACCS.

PART 2. LICENSURE

R 338.10201 Definitions.

Rule 201. (1) As used in this part:

(a) “Act” means 1978 PA 368, MCL 333.1101 et seq.

(b) “Board” means the Michigan board of nursing.

(c) “Completed a practical nurse education program acceptable to the board” means 1 of the following:

(i) That the applicant is a graduate of a practical nurse education program which is located in this state and which is approved by the board.

(ii) That the applicant is a graduate of a practical nurse education program which is located in another state or territory of the United States, as required by § 333.16186, and that program is substantially equivalent to the program requirements of article 15 of the act and the rules promulgated by the board.

(iii) That the applicant is a graduate of a nurse education program that is substantially equivalent to a practical nurse education program approved by the board. The applicant has completed the core curriculum for practical nurse applicants in a nurse education program which is not less than 30 weeks in duration and which includes courses in both theory and clinical practice.

(d) “Completed a registered nurse education program acceptable to the board” means 1 of the following:

(i) That the applicant is a graduate of a registered nurse education program which is located in this state and which is approved by the board.

(ii) That the applicant is a graduate of a registered nurse education program which is located in another state or territory of the United States, as required by § 333.16186, and that program is substantially equivalent to the program requirements of article 15 of the act and the rules promulgated by the board.

(iii) That the applicant is a graduate of a nurse education program which is located outside of the United States and that the applicant is in compliance with the requirements for a certificate from the commission on graduates of foreign nursing schools (cgfns) pursuant to the requirements set forth in the document entitled “Path to CGFNS Certification: Applicant Handbook, Edition 29” August, 2001. A copy of the guidebook can be obtained, at no cost, from the Commission on Graduates of Foreign Nursing Schools, 3600 Market Street, Suite 400, Philadelphia, PA 19104-2651 or from the commission’s website at <http://www.cgfns.org>. A copy of the handbook is available for inspection or distribution at cost from the Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(A) If the applicant is a graduate of a nurse education program that is located outside of the United States, has passed the NCLEX examination, and has maintained an active license, with no disciplinary sanctions in this country for at least 5 years immediately preceding the application for a Michigan license, then the applicant shall be exempt from completing the requirements for a certificate from the commission on graduates of foreign nursing schools.

(iv) That the applicant is a graduate of a Canadian registered nurse program that is approved by a province in Canada and is taught in English. The applicant shall hold a license to practice nursing in Canada that is active and has not been sanctioned.

(e) “Core curriculum for practical nurse applicants” means courses in both didactic instruction and planned clinical learning in each of the following 4 areas of nursing:

(i) Medical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is in the acute or chronic phases of a medical illness.

(ii) Obstetrical nursing, which consists of the study of nursing care for women in the antepartum, labor/delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant and may be referred to as maternal-child nursing. Gynecological nursing alone does not fulfill this obstetric nursing education requirement.

(iii) Pediatric nursing, which consists of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons. This education does not include newborn nursing education.

(iv) Surgical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is receiving nursing care for a surgical procedure.

(f) “Core curriculum for registered nurse applicants” means courses in both didactic instruction and planned clinical learning in each of the following 5 areas of nursing:

(i) Medical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is in the

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acute or chronic phases of a medical illness.

(ii) Obstetrical nursing, which consists of the study of nursing care for women in the antepartum, labor/delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant and may be referred to as maternal-child nursing. Gynecological nursing alone does not fulfill this obstetric nursing education requirement.

(iii) Pediatric nursing, which consists of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons. This education does not include newborn nursing education.

(iv) Psychiatric nursing, which consists of the nursing care of patients who are receiving nursing care for an acute or chronic psychiatric disorder. It may also be referred to as mental health nursing. Education that covers only areas of mental retardation, organic brain syndromes, or neurological diseases does not fulfill the psychiatric nursing education requirement.

(v) Surgical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is receiving nursing care for a surgical procedure.

(g) "Department" means the Michigan department of consumer and industry services.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1990 MR 6, Eff. July 6, 1990; 1994 MR 9, Eff. Oct. 1, 1994; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10202 Examination; adoption; passing scores.

Rule 202. The board approves and adopts the examinations developed by the national council of state boards of nursing, inc., hereafter identified as the "NCLEX-RN" for the registered nurse and the "NCLEX-PN" for the practical nurse. Examinees shall achieve a score of pass on the NCLEX computerized adaptive test (cat).

History: 1990 MR 6, Eff. July 6, 1990; 1994 MR 9, Eff. Oct. 1, 1994; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10203

Source: 1990 AACs.

R 338.10204 Examinations; eligibility; reexaminations.

Rule 204. (1) To assure eligibility for the examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.

(2) To be eligible to sit for the NCLEX-RN, an applicant shall establish that he or she has completed a registered nurse education program that is acceptable to the board.

(3) To be eligible to sit for the NCLEX-PN, an applicant shall establish that he or she has completed a practical nurse education program that is acceptable to the board.

(4) To be eligible to sit for the NCLEX-PN, an applicant whose nursing education was taught in a language other than English shall demonstrate a working knowledge of the English language in addition to meeting the other requirements of this rule. To demonstrate a working knowledge of English, an applicant shall document that he or she has obtained a scaled score of not less than 550 on the paper-based test or a scaled score of not less than 213 on the computer-based test of English as a foreign language that is administered by the educational testing service and obtained a score of not less than 50 on the test of spoken English that is administered by the educational testing service.

(5) An applicant shall complete the NCLEX-RN within 12 months of his or her first attempt at the test in this state or another state. The first attempt at the test shall occur within 2 years of graduation from a registered nurse education program. An applicant who has not achieved a passing score on the examination within the 12-month period shall not be eligible to sit again for the NCLEX-RN until the applicant has completed a registered nurse education program that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional cycle of 3 times after repeating the required registered nurse education program. An applicant may sit for the NCLEX-RN a maximum of 6 times total.

(6) If an applicant is a graduate of a Canadian registered nurse program that is approved by a province in Canada and is taught in English and the applicant holds a current license in Canada, the first attempt at taking the NCLEX-RN will not have to occur within 2 years of graduation.

(7) An applicant shall complete the NCLEX-PN within 12 months of his or her first attempt at the test in this state or another state. The first attempt at the test shall occur within 2 years of graduation from a practical nurse education program. An applicant who has not achieved a passing score on the examination within the 12-month period shall not be eligible to sit again for the NCLEX-PN until the applicant has completed a practical nurse education program that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional cycle of 3 times after repeating the required practical nurse education program. An applicant may sit for the NCLEX-PN a maximum of 6 times total.

History: 1990 MR 6, Eff. July 6, 1990; 1994 MR 9, Eff. Oct. 1, 1994; 1996 MR 2, Eff. Feb. 22, 1996; 2003 MR 23, Eff. Dec. 19, 2003.

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R 338.10206 Licensure by endorsement; requirements.

Rule 206. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the act and the administrative rules promulgated pursuant thereto, an applicant who satisfies the requirements of this rule shall be deemed to meet the requirements of section 16186(l)(a) and (d) of the code.

(2) An applicant for a registered nurse license shall meet both of the following requirements:

(a) The applicant shall establish that he or she has completed a registered nurse education program that is acceptable to the board as defined in R 338.10201 or that he or she meets all of the following requirements:

(i) Was first licensed in another state before the effective date of this amendatory rule.

(ii) Is a graduate of a nurse education program that is located outside the United States.

(iii) Is a graduate of a nurse education program which is not less than 60 weeks in duration and which includes courses in both theory and clinical practice for registered nurse applicants.

(iv) Has completed the core curriculum for registered nurse applicants.

(b) An applicant shall establish 1 of the following:

(i) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken before July 13, 1982.

(ii) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken on or after July 13, 1982, but before February 14, 1989, and achieved a score of not less than 1600 on the NCLEX-RN.

(iii) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken on or after February 14, 1989, and achieved a score of pass on the NCLEX-RN.

(3) An applicant for a practical nurse license shall meet both of the following requirements:

(a) The applicant shall establish that he or she has completed a practical nurse education program that is acceptable to the board.

(b) An applicant shall establish 1 of the following:

(i) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken before October 19, 1982.

(ii) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken on or after October 19, 1982, but before October 18, 1988, and achieved a score of not less than 350 on the NCLEX-PN.

(iii) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken on or after October 18, 1988, and achieved a score of pass on the NCLEX-PN.

History: 1990 MR 6, Eff. July 6, 1990; 1994 MR 9, Eff. Oct. 1, 1994; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10299

Source: 1990 AACCS.

PART 3. NURSING EDUCATION PROGRAMS

R 338.10301 Definitions.

Rule 301. As used in this part:

(a) "Act" means 1978 PA 368, MCL 333.1101 et seq.

(b) "Clinical experience" means direct nursing care experiences with patients or clients which offer students the opportunity to integrate, apply, and refine specific skills and abilities which are based on theoretical concepts and scientific principles.

(c) "Clinical laboratory hours" means those hours of the curriculum which are assigned to laboratory practice, simulated learning, and observational experiences which offer the student the opportunity to meet educational objectives.

(d) "Conceptual framework" means the distinct, systematic organization of concepts which is derived from the philosophy and purposes of the program and gives direction to the curriculum.

(e) "Cooperating agency" means an individual, organization, or institution which, by written agreement or letter of intent, accepts students and faculty for nursing educational experiences.

(f) "Curriculum" means implementation of the philosophy, purposes, program objectives, and conceptual framework of the nursing program through the systematic arrangement of courses, including objectives stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a period of time. Systematic and ongoing evaluation within the context of measurable objectives is inherent in the curriculum.

(g) "Director of the nursing program" means a qualified nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.

(h) "Full approval" means approval of a program granted after satisfactory demonstration to the board of compliance with these rules.

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- (i) "Initial approval" means approval which is granted by the board to inaugurate a program of nursing education.
 - (j) "Instruction" means educational methodology for achieving curriculum objectives in a classroom.
 - (k) "Learning experiences" means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.
 - (l) "Major program change" means revision of the program's philosophy, conceptual framework, or objectives; curriculum revision relating to a revision of the program's philosophy, conceptual framework, or objectives or change in primary instructional method; the elimination of separate course content for an integrated approach; or a permanent expansion in the number of students served.
 - (m) "Nursing process" means the ongoing assessment, analysis, planning, implementation, and evaluation of nursing care.
 - (n) "Observational experience" means a planned learning situation which is nonparticipatory and does not require intervention by the student. Experience shall meet preplanned stated objectives and provide for faculty and student evaluation.
 - (o) "Philosophy" means the stated beliefs of a faculty about nursing education and practice which determine the design of the curriculum and the evaluation of the program and which are consistent with the educational philosophy of the sponsoring agency.
 - (p) "Practical nurse program" means a nursing program to prepare students for practical nurse licensure. The program is approximately 1 year in duration and awards a certificate of completion.
 - (q) "Program of nursing education" means a plan or design indicating the relationship of the components necessary to achieve the goal of preparing persons for licensure as registered or practical nurses under the act.
 - (r) "Progress report" means a document to be submitted to the board at a specified interval to respond to definitive questions and requirements of the board as outlined in written form by the board to the sponsoring agency.
 - (s) "Registered nurse program" means a nursing program to prepare students for initial registered nurse licensure.
 - (t) "Self-study report" means a report of all aspects of a program of nursing education based upon the requirements of this part and prepared by the sponsoring agency. The report follows thorough review of all aspects of the program of nursing education by persons who are knowledgeable about the program.
 - (u) "Site visit" means a physical inspection of an institution and all the components of its program of nursing education for the purpose of determining compliance with the requirements of this part.
 - (v) "Sponsoring agency" means the organization or institution of which the nursing program is a component.
- History: 1989 MR 4, Eff. May 4, 1989; 2003 MR 23, eFF. dEC. 19, 2003.

R 338.10302

Source: 1989 AACs.

R 338.10303 Program approval; procedure.

Rule 303. (1) The following requirements are established for initial approval of a program of nursing education:

- (a) The sponsoring agency shall submit all of the following to the board:
 - (i) A letter of intent to initiate a program of nursing education.
 - (ii) Evidence that the mission of the sponsoring agency is consistent with provision of a program to prepare students for the practice of nursing as defined in the act.
 - (iii) Evidence that the sponsoring agency will provide funding and other support for a nursing education program which meets the requirements defined in this part.
 - (iv) If the sponsoring agency is an institution requiring approval of the Michigan department of career development to conduct a nursing education program or to confer a particular degree or certificate upon the graduates of the program, a copy of the Michigan department of career development approval shall be submitted to the board.
 - (v) Evidence of the availability of sufficient cooperating agencies which meet the requirements of R 338.10307(5), (6), (7), and (8) to provide clinical experiences for the program.
 - (vi) Proposed number of students to become enrolled in the program annually.
 - (vii) Proposed first date of admission of students to the nursing sequence of the program.
 - (viii) Plans to recruit and employ a qualified director for the program and other faculty members sufficiently in advance of admitting students to the nursing sequence to assure consistency in the planning and implementation of the curriculum. If already appointed, the names and qualifications of the director of the program and other faculty members shall be provided.
- (b) The board shall require a site visit to the program by the nurse consultant of the board in advance of considering initial approval. A report of the site visit shall be prepared by the nurse consultant and provided to the board and the sponsoring agency.
- (c) Following initial approval from the board and before initiating the nursing sequence, the program shall submit a self-study report which is approved by the board. The report shall set forth evidence of plans for compliance with the educational

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requirements of this part.

(d) Annually, the program director shall submit a progress report during the period of initial approval. When applicable, the progress report shall include information about each of the following:

- (i) Admission, progression, and retention of students.
- (ii) Student achievement on the required licensure examination.
- (iii) Program evaluation.
- (iv) Program changes.

(2) The sponsoring agency may apply to the board for full approval of the program after graduation of the second class, but shall apply not later than graduation of the fourth class. One class shall be counted for each 12-month period. The following requirements are established for full approval of a program of nursing education:

- (a) The sponsoring agency shall make application to the board in the form of a letter.
- (b) The sponsoring agency shall submit a self-study report. The report shall set forth evidence of compliance with the educational requirements of this part.
- (c) The board shall require a site visit to the program by the nurse consultant of the board before considering full approval. A report of the site visit shall be prepared by the nurse consultant and provided to the board and the sponsoring agency.
- (d) When granted full approval for the program of nursing education, the sponsoring agency shall continue to meet all of the requirements of this rule. Every 4 years the sponsoring agency shall submit a report to the board which is accepted by the board. The report will alternate a self-study report with an abbreviated report on a form prepared by the board so that a self-study report is submitted every 8 years for non-accredited programs and at least every 10 years for accredited programs. A self-study report prepared for accreditation or re-accreditation by a nationally recognized accrediting agency of nursing education programs may be submitted in place of the self-study report prepared for the board. The schedule for submission of self-study reports for accredited programs shall follow the schedule of the nationally recognized accrediting agency. These reports shall be submitted to the board within 1 month following receipt of the nationally recognized accrediting agency's decision on accreditation of the nursing education program.

(3) Major program changes shall be submitted to the board in writing and shall be approved by the board before implementation. The type of approval, initial or full, under which a program is conducted shall not be altered when the board approves major program changes. All of the following information shall be submitted when requesting approval of a major program change:

- (a) A comparative description of the current and proposed program or portion of the program which is proposed for change.
- (b) Rationale for the change.
- (c) Plans to evaluate the effect of the change.
- (d) Any supporting documents.

History: 1989 MR 4, Eff. May 4, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10304 Program approval; decision.

Rule 304. (1) Within 90 days after all materials requested by the board have been received, the board shall do either of the following:

- (a) Grant initial or full approval of the program or approve the program change when the board finds that the requirements of this part are substantially met.
 - (b) Deny initial or full approval or approval of the program change when the board finds that the requirements of this part are not substantially met.
- (2) The board shall issue its decision in writing.
- (3) If approval is denied, the sponsoring agency may request a hearing which shall be conducted pursuant to the provisions of 1969 PA 306, MCL 24.201 et seq.

History: 1989 MR 4, Eff. May 4, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10305

Source: 1996 AACCS.

R 338.10306

Source: 1989 AACCS.

R 338.10307 Curriculum; organization, development, implementation, control, and evaluation.

Rule 307. (1) The curriculum shall be organized, developed, implemented, controlled, and evaluated on a regularly scheduled basis by the director and the faculty within the framework of the philosophy, purposes, and objectives of the sponsoring agency and those approved by the board.

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- (2) The curriculum objectives shall identify the behavioral expectations of the graduate of the program and shall be used for the following purposes:
- (a) Developing, organizing, implementing, and evaluating the curriculum.
 - (b) Identifying objectives for levels of progression and course and program completion.
 - (c) Providing to the student an organized pattern to follow in which the sequence of learning is from the simple to the complex and from the known to the unknown, with each learning experience built on previously learned information of nursing and related scientific knowledge.
 - (d) Organizing the courses so as to approximate, as closely as possible, the schedules of the sponsoring agency in terms, quarters, semesters, or trimesters.
 - (e) Distributing the courses throughout the curriculum so that an unreasonable overload does not exist in any segment of the sequence.
- (3) The statement of the conceptual framework or rationale for the program shall be the basis for the organization of the nursing content of the curriculum.
- (4) The course content and other learning experiences shall promote student growth in all of the following areas:
- (a) The understanding of the roles and responsibilities of the members of the nursing profession.
 - (b) The application of the principles of nursing and the sciences which are basic to nursing practice in the development of plans of care for the patient or client.
 - (c) The provision of direct and indirect nursing care.
 - (d) The understanding of effective human relations and demonstrating the ability to use these principles in nursing situations.
 - (e) The recognition of physical, psychosocial, and spiritual needs of diverse patient/client populations in the provision of nursing care.
 - (f) The understanding of health, including the manifestations of disease and the initiation, organization, and application of the principles underlying the nursing care provided.
 - (g) Developing skills and abilities in the administration of all aspects of nursing care, including all of the following:
 - (i) Communications.
 - (ii) Problem solving.
 - (iii) Understanding legal and professional responsibilities.
 - (iv) The working relationships with other health care providers.
 - (h) Understanding and protecting the rights of patients or clients.
- (5) All cooperating agencies selected for clinical and laboratory experiences shall have standards of nursing care which demonstrate concern for the patient or client and evidence the skillful application of all measures of safe nursing practice.
- (6) All cooperating agencies shall have a current license, if required, for their operation and adhere to the local zoning ordinances governing their operation.
- (7) When a site visit is made, cooperating agencies may be surveyed as a part of the review process to determine the contribution each makes to the course and program objectives. Selection shall be made by the site visitor.
- (8) Each resource selected to provide clinical experience shall indicate a willingness to cooperate in the curriculum by providing a letter of intent, a written agreement, or a formal contract. Each resource shall provide experiences of a quality and quantity which will enable the student to meet the objectives established for the clinical experience.
- History: 1989 MR 4, Eff. May 4, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10308 Registered nurse program; curriculum; implementation.

Rule 308. The director and faculty of a program of nursing education leading to licensure as a registered nurse shall comply with all of the following provisions:

- (a) Select courses and assure teaching concepts for basic content in the biological, physical, behavioral, and other courses supportive of the nursing major which shall assist the student to improve abilities in all of the following areas:
 - (i) Communication.
 - (ii) Interviewing.
 - (iii) Problem solving.
 - (iv) Interpersonal relationships.
- (v) Using scientific principles in providing individualized nursing care to the patient or client. Such courses shall have credits conferred consistent with the policies of the sponsoring agency.
- (b) Provide courses and clinical experiences in the care of all age groups and sexes in medical, surgical, pediatric, geriatric, obstetrical, and psychiatric nursing. Opportunities for learning experiences in community aspects of nursing shall be made available. The elements of the nursing process shall be emphasized in all nursing courses. Clinical laboratory and clinical experience hours shall be sufficient in number to meet the course and program objectives.
- (c) Assure that courses include content relating to all of the following:

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- (i) The legal scope of practice of a registered nurse.
 - (ii) The standards of conduct for members of the nursing profession.
 - (iii) Historical perspectives of nursing and current legal-ethical issues.
 - (iv) Licensure requirements.
 - (d) Select cooperating agencies which meet the requirements of R 338.10307(5), (6), and (8).
- History: 1989 MR 4, Eff. May 4, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10309

Source: 1989 AACCS.

R 338.10310

Source: 1998-2000 AACCS.

R 338.10311

Source: 1989 AACCS.

R 338.10312 Program termination; interruption or reduction of admissions.

Rule 312. (1) The board shall be informed if a date is established for termination of the program of nursing education.

(2) The board shall be informed regarding the system of retention of student records which are needed for endorsement purposes and proof of scholastic achievement. The board shall retain this information in the closed program files so that graduates may be given the source of information upon request.

(3) The board shall be informed if admissions to the program of nursing education are to be reduced or interrupted.

History: 1989 MR 4, Eff. May 4, 1989; 2003 MR 23, Eff. Dec. 19, 2003.

PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10401

Source: 1986 AACCS.

R 338.10402

Source: 1986 AACCS.

R 338.10403

Source: 1986 AACCS.

R 338.10404 Certification qualifications; nurse anesthetist, nurse midwife, and nurse practitioner.

Rule 404. (1) A specialty certification for a nurse anesthetist shall be granted to a registered nurse who satisfies all of the following requirements:

(a) Holds a current and valid license to practice nursing in Michigan.

(b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.

(c) Meets the standards set forth by either the American association of nurse anesthetists council on certification of nurse anesthetists or the council on recertification of nurse anesthetists. The standards are adopted by reference in these rules and are set forth in the publications entitled "Certification Examination for Nurse Anesthetists, Candidate Handbook," 2003, and "Council on Recertification of Nurse Anesthetists Criteria for Recertification," 2002. These publications may be obtained from the American Association of Nurse Anesthetists 222 South Prospect Avenue, Suite 202, Park Ridge, IL 60068, or from the association's website at <http://www.bookstore@aana.com>, at no cost. A copy of the standards is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) A specialty certification for nurse midwife shall be granted to a registered nurse who satisfies all of the following requirements:

(a) Holds a current and valid license to practice nursing in Michigan.

(b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.

(c) Meets the standards set forth by the American college of nurse midwives certification council, inc. The standards are adopted by reference in these rules and are set forth in the publication entitled "Information for Candidates Handbook," effective October 2002. The standards may be obtained at no cost from the American College of Nurse Midwives

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Certification Council, 8201 Corporate Drive, Suite 550, Landover, MD 20785 or at <http://www.accmidwife.org>. A copy of the standards is available for inspection or distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(3) A specialty certification for nurse practitioner shall be granted to a registered nurse who satisfies all of the following requirements:

(a) Holds a current and valid license to practice nursing in Michigan.

(b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.

(c) Meets the advanced practice certification standards of 1 of the following certification organizations:

(i) The American nurses credentialing center, whose standards are adopted by reference and are set forth in the publication entitled "American Nurses Credentialing Center (ANCC) Certification, Advanced Practice and Informatics Nurse, Computer-Based Testing" 2002, which may be obtained at no cost from the American Nurses Credentialing Center, 600 Maryland Avenue SW, Suite 100 West, Washington, DC 20024-2571 or at <http://www.nursecredentialing.org>.

(ii) The national certification board of pediatric nurse practitioners and nurses, inc. whose standards are adopted by reference in these rules and are set forth in the publication entitled National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc. National Qualifying Exam and Certification Maintenance Program, 2003" which may be obtained at no cost from the National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc., 800 South Frederick Avenue, Suite 104, Gaithersburg, MD 20877 or at <http://www.pnpcert.org>.

(iii) The national certification corporation (ncc) for obstetric, gynecologic, and neonatal nursing specialties, whose standards are adopted by reference in these rules and are set forth in the publication entitled "NCC Registration Catalog" 2003 edition, which may be obtained at no cost from the National Certification Corporation, P.O. Box 11082, Chicago, IL 60611 or at <http://www.nccnet.org>.

(iv) The American academy of nurse practitioners, whose standards are adopted by reference in these rules and are set forth in the publication entitled "American Academy of Nurse Practitioners Report on Certification Methodologies 1997," which may be obtained at no cost from the Academy of Nurse Practitioners, Certification Program, Capitol Station, P.O. Box 12926, Austin, TX 78711.

(v) Oncology nursing certification corporation, whose standards are adopted by reference in these rules and are set forth in the publication entitled "The 2003 Oncology Nursing Certification Corporation Certification Bulletin," which may be obtained at no cost from The Oncology Nursing Certification Corporation, 125 Enterprise Drive, Pittsburgh, PA 15275-1214 or at <http://www.oncc.org>.

(4) The standards listed in subrules (i), (ii), (iii), (iv), and (v) also are available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

History: 1986 MR 2, Eff. Feb. 22, 1986; 1990 MR 6, Eff. July 6, 1990; 1998 MR 8, Eff. Sep. 9, 1998; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10405 Certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.

Rule 405. (1) Certification renewal shall correspond with the same schedule as the license renewal.

(2) An applicant for renewal who held a specialty certification for the 2-year period immediately preceding license renewal or an applicant for reregistration of a specialty certification pursuant to section 16201(3) or (4) of the code shall meet the following requirements, as applicable:

(a) For the nurse anesthetist, the applicant shall have obtained recertification, within the 2-year period immediately preceding the application, that meets the requirements of the council on recertification of nurse anesthetists set forth in the publication entitled "Council on Recertification of Nurse Anesthetists Criteria for Recertification," 2002. The publication is adopted by reference in this rule and may be obtained at no cost from either the Council on Recertification of Nurse Anesthetists, 222 South Prospect Avenue, Park Ridge, IL 60068, or from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(b) For the nurse midwife, the applicant shall meet 1 of the following requirements:

(i) If initially certified before 1996, have completed, within the 2-year period immediately preceding the application, the continuing competency assessment requirements of the American College of Nurse-Midwives set forth in the publication entitled "The Continuing Competency Assessment Program of The American College of Nurse-Midwives, 1999." The publication is adopted by reference in this rule and may be obtained at no cost from the American College of Nurse-Midwives, 818 Connecticut Avenue, NW, Suite 900, Washington, DC 2006 or at <http://www.midwife.org>. The publication also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P. O. Box 30670, Lansing, MI 48909.

(ii) If initially certified after January 1, 1996, have obtained recertification or maintained certification, within the 2-year

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period immediately preceding the application, that meets the requirements of the American College of Nurse-Midwives Certification Council, Inc. (ACC) set forth in the publication entitled "Certificate Maintenance," December 2002. The publication is adopted by reference in this rule and may be obtained at no cost from the ACC, 8201 Corporate Drive, Suite 550, Landover, MD 20785 or at <http://www.accmidwife.org>. The publication also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(iii) Have completed 20 continuing education units in the nursing specialty field within the 2-year period immediately preceding the application. The board approves and adopts by reference in this rule the standards listed in paragraphs (i) and (ii) of this subdivision for approving continuing education offerings for the nurse midwife.

(c) For the nurse practitioner, the applicant shall meet the following requirements appropriate to his or her current source of certification:

(i) Those holding national certification as a nurse practitioner shall have obtained recertification or maintained certification, within the 2-year period immediately preceding the application that meets the requirements of the following organizations. The following publications are adopted by reference in this rule and may be obtained from the specific organization, as listed below. These publications also are available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(A) The American nurses credentialing center as set forth in the publication entitled "Recertification Catalog", 2003. This publication is adopted by reference in this subrule and may be obtained at no cost from the American Nurses Credentialing Center, 600 Maryland Avenue, SW, Suite 100 West, Washington, DC 20024-2571 or at <http://www.nursecredentialing.org>.

(B) The national certification board of pediatric nurse practitioners and nurses as set forth in the publication entitled "National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc. National Qualifying Exam and Certification Maintenance Program, 2003". This publication is adopted by reference in this subrule and may be obtained at no cost from the National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc., 800 South Frederick Avenue, Suite 104, Gaithersburg, MD or at <http://www.pnpcert.org>.

(C) The national certification corporation (ncc) for obstetric, gynecologic, and neonatal nursing specialties set forth in the publication entitled "NCC Certification Maintenance Program" 2003 Edition. This publication is adopted by reference in this subrule and may be obtained at no cost from the National Certification Corporation, P.O. Box 11082, Chicago, IL 60611 or at <http://www.nccnet.org>.

(ii) Those applicants who obtained Michigan board certification as a nurse practitioner before 1991, shall have completed 40 continuing education units in the nursing specialty field within the 2-year period immediately preceding the application. The board approves and adopts by reference in this rule the standards listed in paragraph (i) of this subdivision for approving continuing education offerings for the nurse practitioner.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit such evidence for audit.

History: 1986 MR 2, Eff. Feb. 22, 1986; 1991 MR 10, Eff. Oct. 26, 1991; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10406

Source: 1986 AACS.

PART 6. CONTINUING EDUCATION

R 338.10601 License renewals; relicensure; requirements; applicability.

Rule 1. (1) This part applies to applications for renewal of a nursing license and applications for relicensure pursuant to 333.16201(3) that are filed 2 years or more after the effective date of these rules.

(2) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license or an applicant for relicensure shall accumulate not less than 25 continuing education contact hours that are approved by the board pursuant to these rules during the 2 years preceding an application for renewal or relicensure.

(a) An applicant for license renewal shall complete at least 1 continuing education contact hour in pain and pain symptom management in each renewal period. Continuing education contact hours in pain and pain symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. This subrule will take effect with the April 1, 2005 renewal cycle.

(3) Submission of an application for renewal or relicensure shall constitute the applicant's certification of compliance with the requirements of this rule. A nurse shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal or relicensure. Failure to comply with this rule is a violation of section 16221(g) of the act.

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History: 1996 MR 4, Eff. May 4, 1996; 2003 MR 23, Eff. Dec. 19, 2003.

R 338.10602

Source: 1996 AACs.

R 338.10603 Continuing nursing education programs; methods of approval.

Rule 3. (1) The board approves and adopts by reference the standards of the American nurses credentialing center's commission on accreditation that are set forth in the publications entitled "The 2001-2002 American Nurses Credentialing Center's Manual for Accreditation as a Provider of Continuing Nursing Education" and "The 2001-2002 American Nurses Credentialing Center's Manual for Accreditation as an Approver of Continuing Nursing Education." A copy of these publications may be purchased from the American Nurses Credentialing Center, Accreditation Program, 600 Maryland Avenue, Suite 100W, Washington, DC 20024, or at <http://www.nursingworld.org/ancc> at a cost of \$50.00 per manual as of the adoption of these rules. A copy of these publications also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) The board approves and adopts by reference the standards and criteria of the national association for practical nurse education and service, inc. that are set forth in the publication entitled "NAPNES Criteria for Approval of Continuing Education," January 2003. A copy of the publication may be obtained from the National Association for Practical Nurse Education and Service, Inc., 8607 2nd Avenue, Suite 404A, Silver Spring, MD 20910, at a cost of \$3.00 as of the adoption of these rules or at <http://www.napnes.org> at no cost. A copy of this publication is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(3) The board approves and adopts by reference the guidelines adopted by the national league for nursing in September 2001 and set forth in the document entitled "National League for Nursing (NLN) Continuing Education Provider Program." A copy of the guidelines may be obtained at no cost from the National League for Nursing, 61 Broadway, 33rd floor, New York, NY 10006 or at <http://www.nln.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(4) The board approves and adopts by reference the standards, criteria, and guidelines adopted by the American College of Nurse-Midwives in March 1988 and set forth in the publication entitled "The Continuing Education Unit Criteria and Guidelines," 2002, from the International Association for Continuing Education and Training. A copy may be obtained at no cost from the American College of Nurse-Midwives, 818 Connecticut Ave., NW, Suite 900, Washington, DC 20006 or at <http://www.midwife.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(5) The board approves and adopts by reference the standards and criteria of the American association of nurse anesthetists as set forth in the "American Association of Nurse Anesthetists (AANA) Continuing Education Program 2002" which is available at no cost from the American Association of Nurse Anesthetists, 222 S. Prospect Avenue, Park Ridge, IL 60068 or at <http://www.aana.com>. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(6) The board approves and adopts by reference the requirements and guidelines adopted in January 1989 by the committee on continuing medical education of the American osteopathic association that are set forth in the publication entitled "Continuing Medical Education Guide for Physicians 2001-2003." A copy of the publication may be obtained at no cost from the American Osteopathic Association, 142 East Ontario Street, Chicago, IL 60611 or at <http://www.aoa-net.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(7) The board approves and adopts by reference the standards for commercial support for continuing medical education of the accreditation council for continuing medical education's "Essential Areas, Elements, and Decision-Making Criteria, July 1999" in accrediting providers of continuing medical education. The standards may be obtained at no cost from the Accreditation Council for Continuing Medical Education, 515 N. State Street, Suite 2150, Chicago, IL 60610-4377 or at <http://www.acme.org>. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(8) The board approves and adopts by reference the standards for credentialing in basic and advanced life support set forth by the American heart association in the guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers and published in "Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care (70-2041)." A copy of the guidelines for cardiopulmonary resuscitation and emergency cardiac care may be obtained from the American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231 or at <http://www.americanheart.org>, at a

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cost of \$20.00 as of the adoption of these rules. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(9) The board may deny approval of programs offered by institutions and organizations if it appears to the board that the programs offered by those institutions or organizations fail to demonstrate compliance with the legislative intent to further educate licensees on subjects related to the practice of nursing.

History: 1996 MR 4, Eff. May 4, 1996; 2003 MR 23, Eff. Dec. 19, 2003.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

OFFICE OF HEALTH SERVICES

BOARD OF NURSING

GENERAL RULES

PART 7. Nursing Scholarship Program

R 338.10701

Source: 1998-2000 AACS.

R 338.10702

Source: 1998-2000 AACS.

R 338.10703

Source: 1998-2000 AACS.

R 338.10704

Source: 1998-2000 AACS.

R 338.10705

Source: 1998-2000 AACS.

DENTISTRY

PART 1. GENERAL PROVISIONS

R 338.11101

Source: 1989 AACS.

R 338.11103

Source: 1984 AACS.

R 338.11105

Source: 1997 AACS.

R 338.11107

Source: 1984 AACS.

R 338.11109

Source: 1984 AACS.

R 338.11115

Source: 1989 AACS.

R 338.11117

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Source: 1984 AACS.

R 338.11120

Source: 1989 AACS.

R 338.11121

Source: 1989 AACS.

R 338.11199

Source: 1984 AACS.

PART 2. LICENSURE

R 338.11201

Source: 1997 AACS.

R 338.11202

Source: 1997 AACS.

R 338.11203

Source: 1997 AACS.

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Source: 1997 AACS.

R 338.11207

Source: 1997 AACS.

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Source: 1997 AACS.

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Source: 1997 AACS.

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Source: 1984 AACS.

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Source: 1989 AACS.

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Source: 1998-2000 AACS.

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Source: 1989 AACS.

R 338.11259

Source: 1989 AACS.

R 338.11261

Source: 1989 AACS.

R 338.11267

Source: 1989 AACS.

PART 3. EDUCATION

R 338.11301

Source: 1997 AACS.

R 338.11303

Source: 1997 AACS.

R 338.11307

Source: 1997 AACS.

PART 4. DELEGATION, SUPERVISION, ASSIGNMENT

R 338.11401

Source: 1998-2000 AACS.

R 338.11403

Source: 1989 AACS.

R 338.11405

Source: 1998-2000 AACS.

R 338.11406

Source: 1984 AACS.

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R 338.11408
Source: 1998-2000 AACS.

PART 5. SPECIALTIES

R 338.11501
Source: 1994 AACS.

R 338.11503
Source: 1994 AACS.

R 338.11505
Source: 1994 AACS.

R 338.11507
Source: 1984 AACS.

R 338.11509
Source: 1984 AACS.

R 338.11511
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R 338.11512
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R 338.11513
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R 338.11515
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R 338.11517
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R 338.11519
Source: 1984 AACS.

R 338.11521
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R 338.11523
Source: 1984 AACS.

R 338.11525
Source: 1994 AACS.

R 338.11527
Source: 1984 AACS.

PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION

R 338.11601
Source: 1990 AACS.

R 338.11602
Source: 1997 AACS.

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R 338.11603
Source: 1997 AACCS.

R 338.11604
Source: 1990 AACCS.

PART 7. CONTINUING EDUCATION

R 338.11701
Source: 1991 AACCS.

R 338.11703
Source: 1991 AACCS.

R 338.11705
Source: 1991 AACCS.

CHIROPRACTIC

R 338.12001
Source: 1982 AACCS.

R 338.12002
Source: 1998-2000 AACCS.

R 338.12003
Source: 2001 AACCS.

R 338.12004
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R 338.12005
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R 338.12006
Source: 1998-2000 AACCS.

R 338.12007
Source: 1998-2000 AACCS.

R 338.12008
Source: 1998-2000 AACCS.

R 338.12008a
Source: 1998-2000 AACCS.

R 338.12009
Source: 1982 AACCS.

R 338.12010
Source: 1982 AACCS.

R 338.12011
Source: 1982 AACCS.

R 338.12012
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R 338.12013
Source: 1982 AACS.

R 338.12014
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R 339.601
Source: 1998-2000 AACS.

PART 1. LICENSE AND REGISTRATION RENEWALS

R 339.1001
Source: 1998-2000 AACS.

R 339.1002
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R 339.1003
Source: 1998-2000 AACS.

R 339.1004
Source: 1993 AACS.

R 339.1005
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PART 7. DISCIPLINARY PROCEEDINGS

R 339.1701
Source: 1997 AACS.

R 339.1703
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R 339.1721
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R 339.1725
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R 339.1726
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R 339.3101
Source: 1995 AACS.

R 339.3102
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R 339.3199
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R 339.3201
Source: 1995 AACS.

R 339.3202
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Source: 1995 AACS.

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R 339.3232
Source: 1995 AACS.

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R 339.3235
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R 339.3236
Source: 1995 AACS.

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COLLECTION AGENCIES**

R 339.4001
Source: 1997 AACS.

R 339.4003
Source: 1997 AACS.

R 339.4005
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R 339.4007
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R 339.4009
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R 339.4011
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**PERSONNEL AGENCIES
PART 1. GENERAL PROVISIONS**

R 339.5001
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R 339.5005
Source: 1996 AACS.

R 339.5009
Source: 1996 AACS.

PART 2. LICENSING

R 339.5021
Source: 1996 AACS.

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R 339.5023
Source: 1996 AACCS.

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R 339.5031
Source: 1996 AACCS.

R 339.5033
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R 339.5035
Source: 1996 AACCS.

R 339.5037
Source: 1996 AACCS.

R 339.5039
Source: 1996 AACCS.

BARBERS

PART 1. GENERAL PROVISIONS

R 339.6001
Source: 1991 AACCS.

R 339.6003
Source: 1991 AACCS.

R 339.6019
Source: 1991 AACCS.

PART 2. LICENSES

R 339.6021
Source: 1998-2000 AACCS.

PART 3. SANITATION

R 339.6031
Source: 1991 AACCS.

R 339.6033
Source: 1991 AACCS.

R 339.6035
Source: 1991 AACCS.

R 339.6037
Source: 1991 AACCS.

PART 4. BARBER COLLEGES

R 339.6041
Source: 1994 AACCS.

R 339.6045

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Source: 1991 AACs.

R 339.6047

Source: 1991 AACs.

R 339.6049

Source: 1991 AACs.

NURSING HOME ADMINISTRATORS

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R 339.14001

Source: 1992 AACs.

R 339.14003

Source: 1998-2000 AACs.

R 339.14005

Source: 1998-2000 AACs.

R 339.14007

Source: 1998-2000 AACs.

R 339.14009

Source: 1992 AACs.

R 339.14011

Source: 1998-2000 AACs.

R 339.14013

Source: 1998-2000 AACs.

R 339.14015

Source: 1992 AACs.

R 339.14019

Source: 1992 AACs.

PART 2. CONTINUING EDUCATION

R 339.14021

Source: 1998-2000 AACs.

R 339.14023

Source: 1992 AACs.

R 339.14025

Source: 1998-2000 AACs.

R 339.14027

Source: 1998-2000 AACs.

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Source: 1992 AACs.

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R 339.14033
Source: 1992 AACS.

R 339.14035
Source: 1995 AACS.

ARCHITECTS

PART 1. GENERAL PROVISIONS

R 339.15101
Source: 1985 AACS.

R 339.15102
Source: 1998-2000 AACS.

R 339.15103
Source: 1985 AACS.

R 339.15104
Source: 2001 AACS.

R 339.15105
Source: 1985 AACS.

PART 2. LICENSING CRITERIA

R 339.15201
Source: 1985 AACS.

R 339.15202
Source: 1989 AACS.

R 339.15203
Source: 1998-2000 AACS.

PART 3. LICENSURE, RECIPROCITY, AND RENEWAL

R 339.15301
Source: 1985 AACS.

R 339.15302
Source: 1985 AACS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401
Source: 1985 AACS.

R 339.15402
Source: 1985 AACS.

R 339.15403
Source: 1985 AACS.

PROFESSIONAL ENGINEERS

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PART 1. GENERAL PROVISIONS

R 339.16001
Source: 1985 AACS.

R 339.16002
Source: 1998-2000 AACS.

R 339.16003
Source: 1985 AACS.

R 339.16004
Source: 2001 AACS.

R 339.16006
Source: 1985 AACS.

PART 2. LICENSURE

R 339.16021
Source: 1985 AACS.

R 339.16022
Source: 1985 AACS.

R 339.16023
Source: 1998-2000 AACS.

R 339.16024
Source: 1985 AACS.

R 339.16025
Source: 1985 AACS.

PART 3. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.16031
Source: 1985 AACS.

R 339.16032
Source: 1985 AACS.

R 339.16033
Source: 1985 AACS.

R 339.16034
Source: 1985 AACS.

PROFESSIONAL SURVEYORS

PART 1. GENERAL PROVISIONS

R 339.17101
Source: 1995 AACS.

R 339.17102
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R 339.17103
Source: 1985 AACS.

R 339.17104
Source: 2001 AACS.

R 339.17105
Source: 1985 AACS.

PART 2. EXAMINATIONS

R 339.17201
Source: 1985 AACS.

R 339.17202
Source: 1995 AACS.

R 339.17203
Source: 1993 AACS.

PART 3. LICENSURE, RECIPROCITY, AND RENEWAL

R 339.17301
Source: 1995 AACS.

R 339.17302
Source: 1995 AACS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.17401
Source: 1995 AACS.

R 339.17402
Source: 1985 AACS.

R 339.17403
Source: 1995 AACS.

R 339.17404
Source: 1995 AACS.

FORESTERS

PART 1. GENERAL PROVISIONS

R 339.18001
Source: 1984 AACS.

R 339.18005
Source: 1998-2000 AACS.

R 339.18007
Source: 1984 AACS.

PART 2. REGISTRATION

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R 339.18021
Source: 1998-2000 AACS.

R 339.18023
Source: 1984 AACS.

R 339.18025
Source: 1984 AACS.

R 339.18027
Source: 1984 AACS.

R 339.18029
Source: 1998-2000 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.18031
Source: 1984 AACS.

R 339.18035
Source: 1984 AACS.

MORTUARY SCIENCE

PART 1. GENERAL PROVISIONS

R 339.18901
Source: 2001 AACS.

R 339.18905
Source: 2001 AACS.

R 339.18919
Source: 1991 AACS.

PART 2. LICENSING

R 339.18921
Source: 2001 AACS.

R 339.18923
Source: 1998-2000 AACS.

R 339.18925
Source: 1991 AACS.

R 339.18927
Source: 2001 AACS.

R 339.18929
Source: 2001 AACS.

PART 3. STANDARDS OF OPERATIONS

R 339.18930
Source: 2001 AACS.

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R 339.18931
Source: 1991 AACS.

R 339.18933
Source: 1991 AACS.

R 339.18937
Source: 1991 AACS.

PART 4. STANDARDS OF CONDUCT

R 339.18941
Source: 1991 AACS.

R 339.18943
Source: 1991 AACS.

R 339.18945
Source: 1991 AACS.

R 339.18947
Source: 1991 AACS.

LANDSCAPE ARCHITECTS

PART 1. GENERAL PROVISIONS

R 339.19001
Source: 1983 AACS.

R 339.19005
Source: 1998-2000 AACS.

R 339.19007
Source: 1983 AACS.

R 339.19020
Source: 1983 AACS.

PART 2. REGISTRATION

R 339.19021
Source: 1998-2000 AACS.

R 339.19023
Source: 1983 AACS.

R 339.19025
Source: 1991 AACS.

R 339.19027
Source: 1983 AACS.

PART 3. EXAMINATIONS

R 339.19031
Source: 1998-2000 AACS.

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R 339.19033
Source: 1998-2000 AACS.

R 339.19035
Source: 1998-2000 AACS.

R 339.19037
Source: 1998-2000 AACS.

R 339.19039
Source: 1998-2000 AACS.

PART 4. STANDARDS OF CONDUCT

R 339.19041
Source: 1983 AACS.

R 339.19045
Source: 1983 AACS.

R 339.19049
Source: 1983 AACS.

PROFESSIONAL COMMUNITY PLANNERS

PART 1. GENERAL PROVISIONS

R 339.20001
Source: 1996 AACS.

R 339.20002
Source: 1996 AACS.

R 339.20009
Source: 1996 AACS.

PART 2. REGISTRATION

R 339.20011
Source: 1996 AACS.

R 339.20013
Source: 1996 AACS.

R 339.20015
Source: 1996 AACS.

R 339.20017
Source: 1996 AACS.

R 339.20018
Source: 1996 AACS.

R 339.20019
Source: 1996 AACS.

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PART 3. STANDARDS OF CONDUCT

R 339.20031
Source: 1996 AACS.

R 339.20033
Source: 1996 AACS.

R 339.20035
Source: 1996 AACS.

R 339.20037
Source: 1996 AACS.

REAL ESTATE BROKERS AND SALESPERSONS

PART 1. GENERAL PROVISIONS

R 339.22101
Source: 2002 AACS.

R 339.22103
Source: 2002 AACS.

R 339.22199
Source: 1991 AACS.

PART 2. LICENSING

R 339.22201
Source: 2002 AACS.

R 339.22203
Source: 2002 AACS.

R 339.22205
Source: 2002 AACS.

R 339.22207
Source: 2002 AACS.

R 339.22209
Source: 2002 AACS.

R 339.22211
Source: 2002 AACS.

R 339.22213
Source: 2002 AACS.

R 339.22215
Source: 2002 AACS.

PART 3. PRACTICE AND CONDUCT

R 339.22301
Source: 2002 AACS.

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R 339.22305
Source: 2002 AACS.

R 339.22307
Source: 2002 AACS.

R 339.22309
Source: 2002 AACS.

R 339.22310
Source: 2002 AACS.

R 339.22311
Source: 2002 AACS.

R 339.22313
Source: 2002 AACS.

R 339.22315
Source: 2002 AACS.

R 339.22317
Source: 2002 AACS.

R 339.22319
Source: 1991 AACS.

R 339.22321
Source: 2002 AACS.

R 339.22323
Source: 2002 AACS.

R 339.22325
Source: 2002 AACS.

R 339.22327
Source: 1991 AACS.

R 339.22329
Source: 1991 AACS.

R 339.22333
Source: 2002 AACS.

R 339.22335
Source: 1997 AACS.

R 339.22337
Source: 2002 AACS.

R 339.22339
Source: 2002 AACS.

PART 4. ENFORCEMENT

R 339.22401

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Source: 2002 AACS.

R 339.22403

Source: 1997 AACS.

R 339.22405

Source: 1991 AACS.

PART 5. OUT-OF-STATE LAND SALES

R 339.22501

Source: 1991 AACS.

R 339.22503

Source: 1991 AACS.

R 339.22505

Source: 1991 AACS.

R 339.22507

Source: 1991 AACS.

R 339.22509

Source: 1991 AACS.

R 339.22511

Source: 1991 AACS.

R 339.22513

Source: 1991 AACS.

R 339.22515

Source: 2002 AACS.

R 339.22517

Source: 1991 AACS.

R 339.22519

Source: 2002 AACS.

R 339.22521

Source: 1991 AACS.

R 339.22523

Source: 2002 AACS.

R 339.22525

Source: 2002 AACS.

R 339.22527

Source: 2002 AACS.

R 339.22529

Source: 1991 AACS.

PART 6. REAL ESTATE EDUCATION

SUBPART 1. GENERAL PROVISIONS

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R 339.22601
Source: 2002 AACCS.

R 339.22602
Source: 2002 AACCS.

R 339.22603
Source: 1991 AACCS.

R 339.22604
Source: 2002 AACCS.

R 339.22605
Source: 2002 AACCS.

R 339.22607
Source: 1991 AACCS.

R 339.22609
Source: 2002 AACCS.

R 339.22611
Source: 1991 AACCS.

R 339.22613
Source: 2002 AACCS.

R 339.22615
Source: 1991 AACCS.

R 339.22617
Source: 1991 AACCS.

SUBPART 2. PRELICENSURE COURSES

R 339.22631
Source: 2002 AACCS.

R 339.22633
Source: 2002 AACCS.

R 339.22635
Source: 2002 AACCS.

R 339.22637
Source: 2002 AACCS.

R 339.22639
Source: 1991 AACCS.

R 339.22641
Source: 1991 AACCS.

R 339.22643
Source: 1991 AACCS.

R 339.22645

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Source: 1991 AACS.

R 339.22647

Source: 1991 AACS.

SUBPART 3. CONTINUING EDUCATION COURSES

R 339.22651

Source: 2002 AACS.

339.22653

Source: 1997 AACS.

R 339.22654

Source: 2002 AACS.

R 339.22655

Source: 2002 AACS.

R 339.22657

Source: 1991 AACS.

R 339.22659

Source: 2002 AACS.

R 339.22661

Source: 2002 AACS.

R 339.22663

Source: 2002 AACS.

R 339.22664

Source: 2002 AACS.

R 339.22665

Source: 1997 AACS.

R 339.22667

Source: 1997 AACS.

REAL ESTATE APPRAISERS

PART 1. GENERAL PROVISIONS

R 339.23101 Definitions.

Rule 101. (1) As used in these rules:

(a) "A course covering the "uniform standards of professional appraisal practice" in section 2627(5) and the "uniform standards of appraisal practice and ethics" in sections 2611(1), 2613(a)(xv), 2614(b)(xv) and 2615(b)(xv) of the act means the 15-hour national USPAP course or the 7-hour national USPAP update seminar, or their equivalent, as required by the AQB real property appraiser qualification criteria, adopted on October 27, 2000, and effective January 1, 2003.

(b) "Act" means 1980 PA 299, MCL 339.101 et seq., and known as the occupational code.

(c) "Board" means the board of real estate appraisers.

(d) "Licensee" means an individual who is licensed under article 26 of the act, including a real estate valuation specialist, a limited real estate appraiser, a state-licensed real estate appraiser, a certified residential real estate appraiser, or a certified general real estate appraiser.

(e) "Market analysis as performed by a real estate licensee" means the activity defined in section 2601(a)(i) and (ii) of the act, and means analysis solely for the purpose of establishing potential sale, purchase, or listing price of real property or the rental

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rate of real property and is not for the purpose of evaluating a property for mortgage lenders in the primary or secondary mortgage market.

(f) “Real estate consulting”, as used in sections 2613, 2614, and 2615 of the act, means that function or functions described in standards 4 and 5 of the uniform standards of professional appraisal practice.

(g) “Transaction value” means any of the following:

(i) For loans or other extensions of credit, the amount of the loan or the extension of credit.

(ii) For sales, leases, purchases, and investments, or in exchanges of real property, the market value of the real property interest involved.

(iii) For the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.

(h) “Uniform standards of professional appraisal practice” or “USPAP” means the uniform standards of professional appraisal practice, published by the Appraisal Foundation, effective January 1, 2004. Copies of the USPAP 2004 edition are available at a cost at the time of adoption of these rules of \$30.00 for regular binding and \$35.00 for spiral binding plus \$8.50 for single copies and \$1.00 for each additional copy for shipping, from the Appraisal Foundation, 1029 Vermont Avenue NW, Suite 900, Washington DC 20005-3517. Mail orders: P.O. Box 96724, Washington DC 20090-6734. Phone: toll-free 800/805-7857 or 240/864-0100. Internet address: www.appraisalfoundation.org. The USPAP 2004 edition can be reviewed or purchased from the Department of Consumer & Industry Services, Bureau of Commercial Services, 2501 Woodlake Circle, Okemos Michigan 48824, Phone: 517/241-9236, at a cost as of the time of adoption of these rules of \$50.00 plus \$11.00 shipping and handling costs.

(2) Terms defined in articles 1 to 6 and 26 of the act have the same meanings when used in these rules.

History: 1996 MR 6, Eff. June 16, 1996; 2002 MR 9, Eff. May 21, 2002; 2003 MR 5, Eff. Mar. 13, 2003; 2003 MR 24, Eff. Dec. 31, 2003.

R 339.23103

Source: 2002 AACS.

PART 2. LICENSING

R 339.23201

Source: 2002 AACS.

R 339.23203

Source: 2002 AACS.

R 339.23205

Source: 1996 AACS.

R 339.23207

Source: 2002 AACS.

PART 3. APPRAISER EDUCATION

GENERAL PROVISIONS

R 339.23301

Source: 2002 AACS.

R 339.23303

Source: 2002 AACS.

R 339.23305

Source: 1996 AACS.

R 339.23307

Source: 2002 AACS.

R 339.23309

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Source: 2002 AACs.

R 339.23311

Source: 2002 AACs.

R 339.23313

Source: 1996 AACs.

R 339.23315

Source: 1996 AACs.

PRELICENSURE EDUCATION

Source: 2002 AACs.

R 339.23319

Source: 2002 AACs.

CONTINUING EDUCATION

R 339.23321

Source: 2002 AACs.

R 339.23323

Source: 2002 AACs.

R 339.23325

Source: 1996 AACs.

R 339.23326

Source: 2002 AACs.

R 339.23327

Source: 1996 AACs.